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**THE CORPORATION OF THE TOWN OF WASAGA BEACH  
BY-LAW NO. 2007-38**

**A BY-LAW TO LICENCE, REGULATE AND GOVERN BUSINESSES  
CARRIED ON OR WITHIN THE MUNICIPALITY**

**WHEREAS** pursuant to the provisions of Part IV of the Municipal Act, 2001 as amended, the Council of the Corporation of the Town of Wasaga Beach may pass by-laws for licensing, regulating and governing businesses;

**AND WHEREAS** the Municipal Act 2001, as amended by Bill 130 (the “Act”), allows a municipality to licence, regulate and govern any business wholly or partially carried on within the municipality, even if the business is being carried on from a location outside of the municipality;

**AND WHEREAS** the Act further empowers the municipality to require the payment of licence fees and to pass by-laws for imposing fees or charges for permits and services provided or done by them;

**AND WHEREAS** notice of a public meeting was given, and a public meeting was held, at which time any persons who attended had an opportunity to make representation with respect to this By-law;

**AND WHEREAS** the Council of the Corporation of the Town of Wasaga Beach is exercising its licensing powers, including the imposition of conditions as are set out in the accompanying Schedules attached to and forming part of this By-law;

**NOW THEREFORE** this Council of the Corporation of the Town of Wasaga Beach enacts as follows:

**A. TITLE AND SCOPE:**

1. This By-law shall be known as the Business Licensing By-law for the licensing, regulating and governing of trades, businesses or the persons carrying on or engaged in it.

**B. DEFINITIONS:**

In this By-law:

1. “**Applicant**” means a person who is required to be licensed pursuant to this By-law, or who has made application for a licence to the Business Licensing Office, and shall include a “Licensee”.
2. “**Basic Business**” means a trade, business, activity or occupation wholly or partly carried on within a municipality even if the business is being carried on from a location outside the municipality and includes:

- trades and occupations;
- exhibitions, concerts, festivals and other organized public amusements held for profit or otherwise;
- the sale or hire of goods or services on an intermittent or one time basis and the activities of a transient trader; and
- the display of samples, patterns or specimens of goods for the purpose of sale or hire;

but does not include:

- a manufacturing or an industrial business, except to the extent that it sells its products or raw materials by retail;
  - the selling of goods by wholesale; or
  - the generation, exploitation, extraction, harvesting, processing, renewal or transportation of natural resources;
3. **“Building Department”** means the Building Department for the Town of Wasaga Beach.
  4. **“Business Licensing Officer”** means the person appointed by Council to administer and enforce this By-law and/or his designate.
  5. **“Chief Building Official”** means the Chief Building Official for the Town of Wasaga Beach and/or his designate.
  6. **“CAO”** means the Chief Administrative Officer for the Town of Wasaga Beach and/or his designate.
  7. **“Council”** means the Council of the Corporation of the Town of Wasaga Beach.
  8. **“Electrical Safety Inspector”** means a person who is employed by the Electrical Safety Authority and/or his designate.
  9. **“Fire Chief”** means the Chief of the Fire Department of the Town of Wasaga Beach, and/or his designate.
  10. **“Fire Department”** means the Wasaga Beach Fire Department.
  11. **“General Government Committee”** means a standing committee of Council created under the Procedural By-law.
  12. **“Health Unit”** means the Simcoe Muskoka District Health Unit and/or its successor.
  13. **“Health Inspector”** means a Public Health Inspector employed by the Simcoe Muskoka District Health Unit or any successor agency to carry out inspections.
  14. **“Letter of Credit”** means an irrevocable Letter of Credit which shall be drawn on a chartered Canadian Bank and deemed to be automatically extended without amendment for one (1) year from the present or any future expiration date thereof, unless thirty (30) days prior to any such date the bank shall notify the Town in writing by registered mail that the bank elects not to consider this Letter of Credit renewed for any such additional period.

15. **“Licence”** means a business licence issued pursuant to this By-law.
16. **“Licensee”** means a person who has been issued a licence pursuant to this By-law and shall include the applicant for a licence.
17. **“Licensing Co-Ordinator”** means the person designated to administer the licensing functions for the Town of the Wasaga Beach
18. **“Manufacturing and Processing”** means a building or part of a building in which the process of producing or assembling a product by hand or mechanical power and machinery is carried on.
19. **“Municipal Law Enforcement Officer”** means a Municipal Law Enforcement Officer appointed by the Corporation.
20. **“Officer”** means a police officer, business licensing officer, municipal law enforcement officer, property standards officer, licensing co-ordinator, or any other person appointed to enforce the provisions of this By-law.
21. **“Operates”** includes carrying on, engaging in, conducting, maintaining, displaying or keeping and **“Operating”** shall have a corresponding meaning.
22. **“Operate a Business”** means any deed or action of a basic business, that is undertaken by or on behalf of that business to obtain or provide, or attempt to obtain or provide any goods and/or services, that would appear to be in exchange for money or other valuable consideration, whether or not such transaction is completed or not; and without limiting the foregoing, may include the following:
- Soliciting or attempting to solicit business by the placing of advertising by means of signage, leaflets, flyers or similar means within the Town or,
  - Soliciting or attempting to solicit business in person, by any manner including door-to-door soliciting or by telemarketing to persons or addresses clearly located within the Town or,
  - Soliciting or attempting to solicit business by use of advertising using any print media or any electronic media; by any means, including but not limited to, the internet, Facebook, Twitter, texting or by similar programs, where the goods or services appear to target, or be in relation to, persons, businesses or addresses situated within the Town, however
  - Does not include:
    - i. The placement of generic ads for products/services available for retail purchase/sale without naming a specific retail vendor or contact information,
    - ii. The incorporation of advertising of any kind upon a vehicle or trailer which is properly licensed and used for its manufactured purpose.
23. **“Operator”** means a person who directly or indirectly carries on, engages in, conducts, maintains or keeps a business, trade, occupation, calling, object, amusement, vehicle, thing, place or premises, either himself or through an agent or employee.
24. **“Person”** includes a corporation and the heirs, executors, administrators or other legal representatives of a person to whom the context can apply according to law.

25. **“Premise”** means any land, including any and all buildings or other structures thereon, and includes any vehicle or conveyance used in the operation of the business, and “Premises” shall have the same meaning.
26. **“Property Standards Officer”** means the Property Standards Officer for the Town of Wasaga Beach.
27. **“Resident”** means, for the purposes of making determinations of fees in relation to Schedule B, “Refreshment Vehicle Motorized/Non-Motorized A40” means:
- The registered owner(s) of real property that is situated within the Town, and, includes the parents, spouses and children that normally reside at such premises on an annual basis, or
  - The tenant of real property that is situated within the Town who can demonstrate that that have maintained such tenancy for a minimum of six (6) months immediately preceding the date of application to which this definition applies, and includes the parents, spouses and children that normally reside at such premises on an annual basis
28. **“Town”** or **“Corporation”** means the Corporation of the Town of Wasaga Beach.
29. **“Wholesale Establishment”** means a building or structure used for a business primarily engaged in buying merchandise for resale to retailers or to industrial, commercial, institutional, farm, business users or other wholesalers or in acting as agents for brokers buying merchandise for such persons or companies on a commission basis
30. **“Zoning/Planning Department”** means the Zoning/Planning Department for the Town of Wasaga Beach.
31. **“Zoning Administrator”** means the person appointed to act as Zoning Administrator for the Town of Wasaga Beach.

**C. INTERPRETATION:**

1. The schedules to this By-law shall form part of this By-law and each entry in a column of such a schedule shall be read in conjunction with the entry(ies) across therefrom and not otherwise.
2. Words used in the singular shall have corresponding meanings when used in the plural, and wherever the word “he”, “his” or “him” is used, it shall mean and include the feminine or neuter gender wherever the context so requires.
3. “May” shall be construed as permissive and “Shall” shall be construed as imperative.

**D. ADMINISTRATION AND ENFORCEMENT:**

1. This By-law shall be administered and enforced by the Business Licensing Officer, Municipal Law Enforcement Officer, Licensing Coordinator and such other persons appointed or designated for this purpose.

2. No person shall hinder or obstruct, or attempt to hinder or obstruct, any person who is exercising a power or performing a duty under this by-law.
3. Any person who is alleged to have contravened any section of this By-law shall identify themselves to the Officer upon request. Failure to do so shall be deemed to be a hindrance or obstruction of the Officer in the execution of his duties in contravention of the preceding Section D(2).

**E. LICENSING POWERS:**

The power to licence, regulate and govern a business includes the power:

1. to prohibit the carrying on or engaging in the business without a licence;
2. to refuse to grant a licence or to revoke or suspend a licence;
3. to fix the expiry date of a licence;
4. to define classes of businesses and to separately licence, regulate and govern each class;
5. to impose conditions as a requirement of obtaining, continuing to hold or renewing a licence, including conditions:
  - requiring the payment of licence fees;
  - restricting the hours of operation of the business;
  - allowing at any reasonable time, the Town to inspect places or premises used for the business, and the equipment, vehicles and other personal property used or kept for hire in the carrying on of the business;
  - prohibiting places or premises used for the business to be constructed or equipped so as to hinder the enforcement of this By-law;
  - requiring the premises of the business, or part of the premises, to be accessible to persons with disabilities;
6. to impose special conditions on a business in a class that have not been imposed on all of the businesses in that class in order to obtain, continue to hold or renew a licence;
7. to impose conditions, including special conditions, as a requirement of continuing to hold a licence at any time during the term of the licence;
8. to licence, regulate or govern real and personal property used for the business and the persons carrying it on or engaged in it;
9. to regulate or govern the equipment, vehicles and other personal property used or kept for hire in connection with the carrying on of or engaging in the business;
10. to exempt any business or person from all of any part of the By-law;
11. without limiting anything in the above clauses, to require the payment of additional fees at any time during the term of the licence for costs incurred by the Town attributable to the activities of the business, or as otherwise provided herein.
12. to require a person, subject to such conditions as the municipality considers appropriate,

to pay an administrative penalty if the municipality is satisfied that the person has failed to comply with any part of a system of licenses established by the municipality.

**F. LICENCE REQUIRED:**

1. No person shall, within the geographic limits of the Corporation, operate a business, and without limiting the generality of the foregoing, any business particularly described in Schedule "A" attached hereto, without first obtaining a licence to do so.
2. Every person who is licensed by the Corporation to operate a business shall pay the licence fees as set out in Schedule "B" attached to this By-law, and the licence fees shall be non-refundable and non-transferable.
3. No person shall operate a business other than from a permanent building within the Town unless otherwise permitted by this By-law.
4. No person shall operate a business that does not obtain and maintain the required approvals as set out in each Schedule attached dealing with the requirements of the Ontario Building Code Act, Ontario Fire Code, the Town's Zoning By-law, the Town's Property Standards By-law, and any other Town By-law.

**G. APPLICATIONS FOR LICENCE:**

1. All persons intending to operate a business in the Town shall apply in writing to the Licensing Coordinator in the form provided and shall furnish such information as may be directed to be furnished, and such person may be referred to in this By-law as the "applicant".
2. An Applicant shall be a minimum of eighteen (18) years of age to be licensed under this By-law.
3. The Applicant shall pay the required licence fee(s) and/or any other required fee or deposit as set out in Schedule "B" attached to this By-law when making an application.
4. In addition to any licence fees to be paid by any applicant as set out in Schedule "B" attached to this by-law, a Late Payment Fee shall apply to any application received by the Town after the due date established for obtaining such licence. Incomplete applications shall be considered not to have been received and may be returned to the applicant or held pending further information. In any case where the application remains incomplete after the date established to obtain such licence, the Late Payment Fee shall apply.
5. No person shall knowingly make a false statement in an application for a licence or renewal thereof.
6. Acceptance of the licence fee does not constitute approval of the application or oblige the Town to issue a licence.
7. All initial business applications shall be subject to inspections by all departments as set out in Schedule "B" attached to this by-law.

8. No person shall operate a business except in conformity with the terms and conditions as set out and imposed in the licence.
9. 9.1 Notwithstanding the provisions set out in Sections 1-8 above, concerning the making of an application for a Business Licence, the Town shall not accept any applications or fees for a Taxicab or Taxicab Business licenses, except from those holders-of-record of valid 2014 Town of Wasaga Beach Taxi Cab or Taxi Business Licences.
- 9.2 Where a Taxicab Company is eligible to be issued a Licence under Section 9(1) above and then is subsequently issued a Taxicab Company Licence, that Taxicab Company may then make application and pay prescribed fees for a number of Taxicabs Licenses up to the same number of Taxicabs that were issued Licences in 2014; regardless of whether or not the application is for a different vehicle than was licensed in 2014.
- 9.3 Where an application for a Taxicab or Taxicab Company does not meet the condition(s) set out in Section 9(1) the Town shall not accept or shall return the application, if received, and the applicant shall not have any right of appeal under Section "Q. REFUSALS, APPEALS AND HEARINGS".

#### **H. ISSUANCE OF LICENCES AND INVESTIGATIONS:**

1. Every type of business set forth in this By-law shall require a separate application form to be completed and filed with the Licensing Coordinator.
2. Notwithstanding the requirement of Section 1, above, where the applicant is clearly a controlling owner of multiple types of businesses that operate from the same premises, the Business Licensing Officer may accept a single "Mixed Use" application where:
  - i) the applicant can demonstrate that all individual businesses comply fully with the respective "REQUIREMENTS AND CONDITIONS OF LICENCE", set out in Schedule A for each business type, and
  - ii) the Business Licensing Officer is satisfied that the controlling ownership of each type of business has been clearly demonstrated, and
  - iii) the Business Licensing Officer believes, that combining such required applications into one "Mixed Use" licence, would not frustrate the purpose of the By-Law.

#### **3. Presumptive Clause**

- a. In the absence of reasonably demonstrative evidence to the contrary, the posting of signs or advertisements, including those on the internet or other electronic media, shall be interpreted broadly, as to be regulated by this By-Law,
- b. for purposes of clarity and not to restrict the application of subsection 3(a) above, the following presumptions will automatically apply:

- i) where a sign is placed or erected in Town that advertises a business, product or service, it shall be deemed to have been placed or erected on behalf of said business for the purpose of operating a business, whether or not a Business Licence has been issued.
- ii) where a residentially zoned property within the Town, is posted on the internet or advertised in anyway as being available for rent and does not clearly state or define the rental to be for the purpose of establishing a residential tenancy, then it will be deemed as being offered for a commercial business purpose as a Tourist or Short-term rental that requires compliance with this and other by-laws

#### 4. **Signature on Licence and Posting Up:**

- a. The Business Licensing Officer or designate shall sign each licence issued pursuant to this By-law and such licence shall be in such form as the Town may from time to time direct.
- b. Where a business is operating out of a permanent building, no licensee shall fail to display the licence issued under this by-law in a conspicuous place clearly visible to the public.
- c. Where a business is not operating out of a permanent building, no licensee shall fail to carry the licence issued under this by-law when engaged in the business for which the licence is issued.

#### I. **CHANGE OF NAME, OWNERSHIP OR LOCATION:**

- 1. Licenses issued pursuant to this By-law are non-transferable.
- 2. Every licensee shall, upon change of ownership of the registered business name or the ownership of the licensed business, return and surrender his current licence to the Business Licensing Officer. An application for a new business licence shall thereupon be required as outlined in Section G of this By-law.
- 3. Where a currently licensed business changes premises, such new premises shall not be deemed to be licensed. No licence shall be transferred or transferable, and the applicant must immediately make application for a new business licence under the provisions of this By-law, and shall surrender to the Business Licensing Officer the licence issued to the previously licensed location.
- 4. Where ownership of a business is not changed or affected but the operating name of a business changes (whether or not such name change has been formally registered), the licensee shall immediately notify the Business Licensing Officer or his designate and upon payment of a fee and being satisfied that there have been no other changes in the circumstances of the licensed business, the Business Licensing Officer or his designate may issue a replacement of the original licence. The licensee shall return and surrender the original licence in order to effect such a change.

**J. LICENCES PERSONAL:**

1. No person shall enjoy a vested or property right in any licence or the continuance of any licence, and such licence and rights shall remain the property of the Town.

**K. INSPECTION:**

1. The Business Licensing Officer, Municipal Law Enforcement Officer, Licensing Coordinator, or a designate so appointed for that purpose, may, at all reasonable times including the business licence application stage, upon producing identification, inspect or cause to be inspected any business, facilities, equipment, vehicles or other property used or kept for hire in respect of which any person has or is required to have a licence under this By-law, and any such person so authorized may inspect any goods, articles, books, records or other documents of or relating to any such business. These inspections, where applicable, shall be as established by the Business Licensing Officer and/or Licensing Coordinator and the associated fees applied accordingly.
2. In each instance when a business, facility or premises requires a re-inspection by any department from which approval is mandatory, a re-inspection fee is applicable. Said fees are set out in Schedule "B" attached to and forming part of this by-law.
3. Notwithstanding Section K.1. above, this shall not apply to that part of a licensed premise that is used as a private residence.
4. No licensee shall fail to, upon the request of an officer, produce a licence and any other required documents for inspection.

**L. ORDERS:**

1. Where an Officer finds a person has contravened any provision of this By-law, he may issue an order to comply.
2. No person shall fail to comply with an order issued under this By-law.

**M. LOST OR DESTROYED:**

1. In the event that a licence issued under this By-law is defaced, lost or destroyed, the applicant shall submit satisfactory proof of such loss or destruction and pay the replacement fee noted in Schedule "B" attached to this By-law.
2. Upon receipt of the foregoing, the Business Licensing Officer shall issue a duplicate licence with the word "Duplicate" stamped or marked upon it.

**N. NUISANCE ABATEMENT:**

1. Every person licensed under this By-law, in addition to any other obligations under this By-law, shall:
  - a. at all times maintain and keep safe and clean and in good condition and repair any object, amusement, vehicle, place or premises for which the licence is issued;

- b. not make, cause or permit any breach of any by-law of the Town or of any Statute, Order-in-Council or Regulation of the Legislature of the Province of Ontario or the Parliament of Canada or of any agency, board or commission of either of them in, upon or in connection with the object, amusement, place or premises for or in relation to which such licence was issued;
  - c. not make, cause or permit any nuisance to arise in as determined by an Officer, on or in connection with the object, amusement, vehicle, place or premises for which the licence was issued;
  - d. not make, cause or permit any shouting, noise or other disturbance on, in or in connection with the object, amusement, vehicle, place or premises for which the licence was issued, which is unnecessary, unreasonable or contrary to any municipal by-law prohibiting same as determined by an Officer;
  - e. not make, cause or permit any obstruction on any highway, lane or public place in front of or adjoining the place or premises for which the licence was issued;
  - f. not make, cause or permit any profane, offensive or abusive language or disorderly conduct in, on or in connection with any vehicle, place or premises for which the licence was issued.
2. Every person who acquires a licence that is issued under this By-law is responsible for the due performance and observance of all the provisions of this By-law by himself as licensee, by his employees and all other persons in or upon the premises which is licensed under the provisions of this By-law.

**O. REFUSAL TO GRANT A LICENCE:**

1. The Business Licensing Officer may refuse to issue or renew a licence with respect to which an application, if, in the opinion of the Business Licensing Officer, the licence should not be issued:
  - a. upon the grounds that there have been one or more past contraventions of this By-law or any prior Business Licensing By-law; or
  - b. because of failure to comply with the requirements of this By-law or other applicable by-laws of the Town or of any Statute, Order-in-Council or Regulation of the Provincial Legislature or of the Parliament of Canada, or of any agency or board or commission thereof, in, upon or in connection with the applied for licensed activity of the premises, facilities, equipment, vehicles or other property used or kept for hire in connection with the licensed activity; or
  - c. upon the grounds that the conduct of any person, including the officers, director, employees or agents of a corporation, affords reasonable cause to believe that the person will not carry on or engage in the business in accordance with the law.
2. Where the Business Licensing Officer refuses to issue a licence as noted in the above Section, the Business Licensing Officer shall notify the applicant in writing of such decision and set out the grounds upon which the issuance of said licence is refused, and shall include in such writing, the availability of an appeal of this decision to the CAO.

**P. ADMINISTRATIVE SUSPENSIONS:**

1. The Business Licensing Officer may suspend a licence for a period time and upon such conditions as are considered appropriate, without a hearing, where the licensee fails to meet any of the administrative requirements upon which the licence was issued. The owner/operator of such business shall be provided with the reasons for the suspension, either orally or in writing, and be provided with an opportunity to respond to same. In any event, any suspension shall not exceed fourteen (14) days.
2. Notwithstanding that a licence has been issued, where the Business Licensing Officer has reasonable grounds to believe that a licensee may no longer satisfy the requirements of this By-law, the licensee may be required to file further documents evidencing compliance with the Business Licensing Officer.

**3. Reinstatement:**

The Business Licensing Officer shall reinstate a licence which has been suspended upon satisfactory proof that the administrative requirements have been met and upon receipt of payment of any administrative penalties/fees and/or re-inspection fees that were required due to the said suspension.

**P.2 REVOCATION/SUSPENSION-OTHER**

1. The Business Licensing Officer may, where a licence has been issued, revoke or suspend any licence where, in the opinion of the officer:
  - a. upon the grounds that the holder is in breach of the business licensing by-law, including any conditions of a licence issued there under, or
  - b. the licence holder fails to comply with any “order to remedy or comply”, issued pursuant to the *Municipal Act 2001*, S.O. 2001 c.25, as amended or the *Building Code Act*, S.O. 1992, c.23, as amended, or
  - c. the licence holder fails to pay any arrears, penalties or taxes when required or requested, or
  - d. the licence was issued in error or upon information that was not complete, accurate or truthful, or is no longer reflective of current business practices, or
  - e. upon the grounds that the conduct of any person, including the officers, directors, employees or agents of a corporation, affords reasonable cause to believe that the person will not carry on or engage in the business in accordance with the law or with honesty and integrity.

**Q. REFUSALS, APPEALS, AND HEADINGS:****1. Appeal of Business Licensing Officer’s decision to the CAO:**

When, for any of the grounds set out in this By-law, except where an application is not permitted under Section G.9, an applicant has been advised, in writing, that a licence is refused or it is appropriate that the licence be suspended or revoked, the applicant may request an appeal of the decision through the CAO. Such request shall be made in writing within seven (7) days of receipt of such notification.

- a. The Business Licensing Officer shall provide a report to the CAO as to reasons why the licence was refused, suspended or revoked and the CAO shall determine if the recommendation is to be upheld.
- b. Issuance of a Licence on Terms and Conditions:

The CAO may authorize that the licence be issued subject to such terms and conditions as are necessary to give effect to this By-Law. If the CAO refuses the licence or continues with the suspension or revocation of the licence, the applicant may request a hearing before General Government Committee.

2. **Notification of Right of Hearing:**

- a. The CAO shall:
  - i. notify the applicant of his/her recommendation, and such notification shall:
    - be in writing;
    - set out the grounds for the recommendation;
    - give reasonable particulars of the grounds;
    - be signed by the CAO; and
    - inform the applicant of his right to request a hearing before General Government Committee within seven (7) days following the date of service.
  - b. A request for a hearing before General Government Committee must be made in writing to the CAO and be received within seven (7) days of receipt of notification of the CAO's decision.
  - c. On receipt of a written request for a hearing from the applicant, the CAO shall schedule a hearing before General Government Committee, and shall give the applicant reasonable written notice of the date, time and place of the hearing.

3. **Service of Notice:**

- a. Any written notice required to be given by the CAO or the Business Licensing Officer shall be deemed to be received seven (7) days following mailing of such notice to the last address given by the applicant to the Business Licensing Office.
- b. Any hearing conducted by General Government Committee under this By-law shall be conducted pursuant to the Statutory Powers Procedure Act, R.S.O. 1990, c.S.22 as amended.
- c. When an applicant who has been given written notice of the hearing does not attend the appointed time and place, General Government Committee may proceed with the hearing in his absence and the applicant shall not be entitled to any further notice of the proceedings.
- d. At the conclusion of a hearing, General Government Committee shall summarize the relevant evidence and arguments presented by the parties to the hearing, set out the findings of fact and the recommendations made by General Government

Committee, and that recommendation of a majority of its assigned members shall be final.

- e. Where, for any reason, an applicant has been refused a licence, or a licence has been revoked or suspended, the Business Licensing Officer shall notify the applicant in writing, and such applicant shall forthwith return any licence or identification number issued by the Business Licensing Office with reference to such licence.
- f. No person whose licence has been revoked or suspended shall refuse to deliver the licence or identification number to the Business Licensing Office, or in any way obstruct or prevent the Business Licensing Office from receiving or taking the same, and an Officer may enter upon the business premise or vehicle of the licensee for the purpose of receiving, taking or removing said licence and identification number.
- g. An applicant whose licence has been refused or revoked shall not be entitled to make a new application for the same type of licence in the same location for a period of eighteen (18) months from the date of the refusal or revocation.
- h. Notwithstanding any final decision of, or statement by, the General Government Committee respecting the granting of a licence or application therefore, no person shall be deemed to be licensed to carry on or engage in the trade, calling, business or occupation for which such licence is required until he has paid the required fees and has received the physical licence, identification number or other evidence of the granting of such licence provided for in this By-law.

**R. REGISTER:**

1. The Business Licensing Officer shall keep a licence register in which shall be recorded the full operating name and address of each licensee, the address of the place or premise in which the licensee carries on, conducts, operates, maintains, keeps or engages in the business, trade, occupation or calling, object or amusement for which the licence was issued, the class of business to which the business belongs, where applicable, the number of the licence and any plates issued, the date of issue, the amount of the licence fees paid, the date of expiry of the licence, the type of licence issued, and any other particulars or terms and conditions pertaining to same which are deemed useful or necessary.

**S. EXPIRY DATE:**

1. Licences issued pursuant to this by-law shall, unless they are expressly issued for a shorter time or unless they are sooner revoked or suspended, shall expire in accordance with licence classifications as contained in Schedule "C" attached and forming part of this by-law.
2. General Government Committee may extend the expiry date of any licence upon the recommendation of the Business Licensing Officer.

**T. EXEMPTIONS:**

1. Town sanctioned Special Events and the Marketplace shall be exempt from the provisions of this By-Law.

2. Upon receipt of a written request, General Government Committee may consider granting an exemption to any person, business or class of business from any provision of this by-law and impose conditions for such exemption as may be considered reasonable and necessary, provided such exemption does not interfere with the general integrity of this by-law.

**U. OFFENCES AND PENALTIES:**

1. Every person who contravenes any provision of this By-law, and every director or officer of a corporation who concurs in such contravention by the corporation, is guilty of an offence, and upon conviction, is liable,
  - a. on a first conviction to a fine that shall not exceed \$100,000.00; and
  - b. in the case of a continuing offence, for each day or part of a day that the offence continues, to a fine that shall not exceed \$10,000.00. However, despite Section U.1.(a), the total of all of the daily fines for the offence shall not exceed \$100,000.00.
  - c. in the case of a multiple offence, for each offence included in the multiple offence, to a fine that shall not exceed \$10,000.00. However, despite Section U.1.(a), the total of all fines for each included offence is not limited to \$100,000.00.
  - d. the case of a conviction for operating a tourist establishment without a license and where the offence in relation to real property that is not zoned to permit the operation of a Tourist Establishment, except a Bed & Breakfast, pursuant to the Town's Comprehensive Zoning By-law, then in addition to fines imposed under subsections "a." through "c." above, the Municipality, having regard to the circumstances of the offence, may request the court impose an additional special fine in accordance with the table below:
    - i. For a 1<sup>st</sup> Conviction- Where the Special Fine is requested, in addition to the regular fine, shall be calculated by multiplying the average nightly rate estimated by the court and, based on evidence presented, by a multiplier number of THIRTY times (30x).
    - ii. For a 2<sup>nd</sup> Conviction- Where the Special Fine is requested, in addition to the regular fine, shall be calculated by the same method above except that the multiplier shall be SIXTY times (60x).
    - iii. For 3<sup>rd</sup> and Subsequent Convictions- Where the Special Fine is requested, in addition to the regular fine, shall be calculated by the method used in ii) above except that the multiplier shall be double (2x) the multiplier used to calculate the most recent Special Fine.
- 1.1 Every person who contravenes Section F(1) of the By-Law, in so far as the requirement to obtain a license under Schedule "A21" (Hawker and Peddler), shall be subject to a minimum fine of not less than one thousand (\$1,000) dollars upon conviction.

2. "Multiple offences" means an offence in respect of two or more acts or omissions each of which separately constitutes an offence and is a contravention of the same provision of the By-Law.

**V. VALIDITY AND RESCINDING OF EXISTING BY-LAWS:**

1. By-law 2005-86 passed by Council on the 13<sup>th</sup> day of December 2005, is hereby rescinded.
2. Should any section, subsection, clause, paragraph or provision of this By-law, including any section or part of Schedule "A" or Schedule "B" attached to this By-law, be declared by a Court of competent jurisdiction to be invalid or illegal for any other reason, such offending section or part shall be deemed to have been severed from this By-law and the remaining sections or parts shall continue in full force and effect and shall remain valid and binding.

**W. EFFECTIVE DATE OF BY-LAW:**

1. This By-law shall come into force and take effect on final passing hereof.

Read a first, second and third time and finally passed this 27th day of March, 2007.

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MAYOR

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CLERK

**Schedule "A1"**  
**AMUSEMENT-PLACES OF**

**A. DEFINITIONS:**

1. "Amusement-Places of" means the use of lands, buildings and structures which may include permanent rides, demonstrations and exhibits, theatres, arcades, games of chance, paintball parks, swimming pools, wave pools, water slides, food and beverage service and similar uses designed for the amusement and enjoyment of patrons, and which is presented as a unified and coordinated entertainment facility.
2. "Amusement-Rental" means a business or premise in which are offered facilities for the renting of or temporary use of equipment, items or other equipment designed for the entertainment of the public. It shall include, but shall not be limited to, recreational concessions offering roller blades, roller skates, recreational watercraft, snow vehicles, snowboards, skis or other similar devices, bicycles, tricycles or other similar vehicles, etc.
3. "Arcade" means any premise or part thereof containing three or more amusement devices operated for gain.
4. "Go-Kart Course" means a public or private area designed and used for the maneuvering of a small four-wheeled vehicle around a track.
5. "Golf Course" means a public or private area operated for the purpose of playing golf, including a par three golf course or a similar use.
6. "Golf Driving Range" means a public or private area or building designed and used for the driving of golf balls.
7. "Miniature Golf Course" means a place where a game is played with a golf ball and clubs on a small-scale course, having a varied number of holes and differing degrees of difficulty.
8. "Swimming Pool" means a premise or location kept as a public swimming pool and operated for gain.

**B. REASONS FOR REQUIRING LICENCE AND/OR IMPOSING CONDITIONS:**

1. For the purpose of health and safety of the people who enter places of amusement, to ensure that the business is not a nuisance to the surrounding properties and neighbourhood, and to ensure the protection of consumers for goods and/or services purchased.

**C. REQUIREMENTS AND CONDITIONS OF LICENCE:**

1. No person shall operate or maintain an amusement-places of or rental within the Town without first obtaining a licence to do so.
2. This Schedule shall relate to every person who owns or operates a roller skating rink, go-kart track, miniature golf course, golf driving range, trampoline centre, shooting gallery or other place of like amusement, any amusement rides such as a merry-go-round or other like contrivances, skate boarding park, waterslide, wave pool and related amusements.

3. Prior to a business licence being issued by the Business Licensing Officer, the applicant must obtain the approvals listed below:
  - a. Zoning Department;
  - b. Fire Department;
  - c. Building Department;
  - d. Property Standards Office;
  - e. Health Unit.
4. Where required by the Fire Chief, the licence shall reflect a maximum occupant load, which shall be determined by the Fire Department for the Town.
5. Every person who holds a current licence shall display, in a prominent place at the entrance and inside the place of amusement, the maximum occupant load (where applicable) as authorized under the licence issued by the Business Licensing Officer or designate.
6. Every person who holds a current licence shall not permit a greater number of persons than authorized by the licensed capacity to enter or be in the place of amusement.
7. Every person who holds a current licence shall:
  - a. keep all persons in order in any building or premises in respect to which a licence has been issued, and at his own expense, shall keep sufficient staff for that purpose;
  - b. ensure that a detailed record or logbook is kept on the premises, said logbook keeping detail of all inspections done and any repairs carried out as a result of those inspections with respect to any relevant equipment on the property;
  - c. ensure that within the licensed premises, there are no pay-offs, betting or the offering of any article or thing as prizes in contravention of the Criminal Code.
8. Every operator of a roller skating rink, skate boarding park or similar place of amusement or contrivance shall keep such place of amusement or contrivance closed between the hours of 12:00 midnight to 8:00 o'clock in the morning of each day, except where permission of Council to remain open is obtained for the purpose of allowing a function to be conducted under the auspices of a recognized patriotic, fraternal, charitable or religious organization, which is to receive the proceeds of the function.
9. All reasonable safety precautions shall be taken by the operators of any of the amusements with respect to this Schedule to protect the person frequenting it from harm.
10. Insurance:
  - a. Every operator of a business to which this Schedule relates shall, for each place or premises for which a licence is held, procure liability insurance in the amount of Two Million Dollars (\$2,000,000) inclusive for any one occurrence, said policy to be endorsed to provide that the policy will not be altered, cancelled or allowed to lapse without 30 days' prior written notice to the Town;
  - b. Every operator of a business to which this Schedule relates shall, for each place of premises for which a licence is held, procure liability insurance for bodily injury and property

damage caused by owned and non-owned vehicles, in the amount of Two Million Dollars (\$2,000,000) inclusive for any one occurrence, said policy to be endorsed to provide that the policy will not be altered, cancelled or allowed to lapse without thirty (30) days prior written notice to the Town. A "vehicle" shall be defined in the Highway Traffic Act;

- c. A certified copy of the insurance policy or a certificate issued in regard thereto shall be deposited with the Business Licensing Officer;
- d. The insurance policy shall be endorsed to include the Town as additional named insured;
- e. Notwithstanding Section 10.a. and b., if, for any reason, the insurance policy above is cancelled, or for any other reason does not remain in effect, the business licence issued under this Schedule shall become null and void on the final date for which the insurance was valid.

11. The operator of every trampoline or rebound tumbling centre shall:

- a. have in immediate attendance one qualified supervisor who has been trained and is experienced in the supervision and control of trampolines or rebound tumbling equipment whenever the centre is open to the public. Such supervisor shall be the holder of appropriate first aid certification;
- b. permit or allow only one person on each unit at the same time;
- c. keep units at least three feet apart on both sides and four feet apart on both ends, with a minimum of six feet from any fence to any trampoline.

**Schedule "A2"**  
**APPLIANCE REPAIR**

**A. DEFINITION:**

1. "Appliance Repair" means a person engaged in the restoring or maintenance of household or domestic appliances to a state of operation or good condition and shall include but is not limited to the replacement or restoration of worn out parts.

**B. REASONS FOR REQUIRING LICENCE AND/OR IMPOSING CONDITIONS:**

1. For the purpose of consumer protection to ensure that the work performed is up to industry standards.

**C. REQUIREMENTS AND CONDITIONS OF LICENCE:**

1. No person shall operate or maintain the business of appliance repairs within the Town without first obtaining a licence to do so.
2. An appliance repair establishment that operates the business from an appropriately zoned premises/property must obtain the following approvals prior to a business licence being issued by the Business Licensing Officer or designate:
  - a. Zoning Department;
  - b. Fire Department;
  - c. Building Department.
3. No person shall store any new or used appliances or any parts thereof outside of the premises from which the appliance repair business is conducted.

**Schedule "A3"**  
**AUCTIONEER**

**A. DEFINITIONS:**

1. "Auctioneer" means a person who conducts a sale by auction.
2. "Auction" means a public sale to persons in which bids on goods, articles, merchandise, effects, etc., are received by an auctioneer and where each bid offers more than the last previous bid, the article being put up being sold to the highest bidder. It shall not include a mock auction, silent auction or Chinese auction.
3. "Auction-Silent" means an auction conducted by means of written bids given on displayed goods, wares or merchandise with the final declaration of sale being made to the last individual having submitted a bid on the specified bid sheet for that item.
4. "Auction-Chinese" means an auction conducted by means of predetermining a set price on an item, thence receiving verbal bids on such an item. The final declaration of sale shall be made to the highest bidder who shall then pay the price, based on the difference between the predetermined price and the highest bid.
5. "Beater" or "Booster" means a person working in concert with an auctioneer for the purpose of increasing the sale price of an item being auctioned by establishing a first bid on the item or bidding higher than a bid already established on the item.
6. "Mock Auction" means the auctioning of goods wherein the auctioneer leads persons in attendance to believe that a bid has been made by a potential purchaser on an item being auctioned when in fact such a bid has not been made.

**B. REASONS FOR REQUIRING LICENCE AND/OR IMPOSING CONDITIONS:**

1. For the purpose of consumer protection to ensure that the business is not a nuisance to the surrounding properties and neighbourhood.

**C. REQUIREMENTS AND CONDITIONS OF LICENCE:**

1. Any person selling or putting up for sale goods, wares, merchandise or effects by public auction shall be deemed an auctioneer within the meaning of this By-law.
2. No person shall operate or maintain the business of an auctioneer within the Town without first obtaining a licence to do so.
3. Every person licensed under this Schedule shall be exempt from operating out of a permanent building.
4. No person shall sell or put up for sale goods, wares, merchandise or effects by auction within the Town without first obtaining a licence to do so.
5. The auctioneer shall, at each auction, prominently display his licence issued subsequent to this schedule and shall include the business licence number in all public advertisements of any nature used during the course of his business.

6. No auctioneer shall:

- a. permit any disorder in his auction room or offices;
- b. conduct or permit to be conducted any mock auction;
- c. make or permit to be made any misrepresentation as to the nature, content, quantity or value of any goods, wares, merchandise or effects which may be offered for sale by him;
- d. give away articles or sell them for nominal amounts for the purpose of stimulating bidding;
- e. do any act that is calculated to or which may reasonably have the effect of confusing a purchaser as to the amount he pays for any article(s);
- f. avail himself to the services of or acts in concert with persons known in the trade as "beaters" or "boosters" for the purpose of raising or stimulating bids;
- g. sell or put up for sale by auction any goods, wares, merchandise or effects held on a reserve bid basis without first announcing to those in attendance.
- h. permit the external storage of goods, materials or equipment on any property within the Town's boundaries.

7. Every auctioneer shall:

- a. keep proper books of account of the business transacted by him as an auctioneer;
- b. list the names and addresses of the owners of the goods, wares, merchandise or effects to be sold, the description of same, and the price for which same may be sold;
- c. list the names and addresses of the persons purchasing such goods, wares, merchandise or effects or any portion thereof, and the price for which same was sold;
- d. after the sale of same or any portion thereof, account for the proceeds and pay same to the person(s) entitled to such proceeds, less the auctioneer's legal and property commissions and charges, and in case no sale is made of such goods, he shall, upon
- e. payment of his proper costs and charges, return such goods to the person(s) entitled to receive such goods on proper demand being made for such goods.

8. Service clubs and registered charitable organizations conducting Silent Auctions and Chinese Auctions, as approved by the Business Licensing Officer, shall be exempt from the provisions of this Schedule.

9. Nothing herein contained shall apply to a sheriff or bailiff sale.

**Schedule "A4"**  
**BARBERSHOP AND HAIRDRESSING/BEAUTY SALON**

**A. DEFINITIONS:**

1. "Barbershop" means a business or premise where the shaving or trimming of the beard or moustache and/or the cutting, trimming, dyeing, conditioning, streaking, shampooing or dressing of the hair is carried on, commonly in the service of males.
2. "Beauty Salon" means a business or premise offering facial or other skin or body treatments, cutting and/or dressing of the hair including but not limited to cutting, trimming, dyeing, bleaching, streaking, frosting, conditioning, shampooing, etc., of the hair, tanning including but not limited to tanning rooms, tanning beds and similar devices, manicures, pedicures or similar treatments, electrolysis or any other similar treatment or service, piercing of earlobes, but not including the piercing of other body parts, etc.

**B. REASONS FOR REQUIRING LICENCE AND/OR IMPOSING CONDITIONS:**

1. For the purpose of protecting the health and safety of the consumer.

**C. REQUIREMENTS AND CONDITIONS OF LICENCE:**

1. No person shall operate or maintain the business of a barbershop or hairdressing/beauty salon within the limits of the Town without first obtaining a licence to do so.
2. Every person licensed as the owner of a barbershop or hairdressing/beauty salon shall observe and comply with the regulations of the Health Unit, and shall cause all persons employed in the business to observe and comply with the regulations of the Health Unit as set out in the Public Health Act or under the authority of any other Statute, Regulation or By-law by the Medical Officer of Health.
3. Prior to a business licence being issued by the Business Licensing Officer or designate, the applicant must obtain the approvals listed below:
  - a. Zoning Department;
  - b. Fire Department;
  - c. Building Department;
  - d. Property Standards Office;
  - e. Health Unit.
4. No person licensed as the owner of a barbershop or hairdressing/beauty salon shall employ any person as a barber or hairdresser in such shop or salon, or permit any person to engage in the trade of a barber or hairdresser therein, unless such person employed or engaged is either:
  - a. the holder of a current Certificate of Qualification as a barber or a hairdresser issued pursuant to regulations made under the Apprenticeship and Certification Act; or
  - b. registered with the Director of Apprenticeship as an Apprentice Barber or Hairdresser under the Apprenticeship and Certification Act.
5. No person shall offer for sale or sell food or beverages on the premises.

6. No room in any premises licensed hereunder in which barbering or hairdressing is done, shall be used as living, eating, food preparing, bathing or sleeping quarters, and shall only be used for barbering or hairdressing.
7. Every person licensed under this By-law as the owner of a barbershop or hairdressing/beauty salon shall satisfy the Health Unit as to his freedom from communicable or transmissible disease and submit to such medical examinations and tests as the Health Unit may require.
8. No person licensed as the owner of a barbershop or hairdressing/beauty salon shall operate the business of a barber or hairdresser or permit any person employed by his or in partnership with him to operate the business of a barber or hairdresser outside the premises for which the licence was issued, except in the following circumstances:
  - a. where the person served is so ill or physically incapable so as to be unable to attend at the owner's barbershop or hairdressing/beauty salon;
  - b. to dress the hair of members of a bridal party on the day of the wedding;
  - c. to dress the hair of models of a fashion or theatre show.
9. The licence of persons operating a barbershop or hairdressing/beauty salon shall be revoked upon a recommendation of the Medical Officer of Health that such licence should be revoked.

**Schedule "A5"**  
**BASIC BUSINESS**

**A. DEFINITIONS:**

1. "Basic Business" means a trade, business or occupation including the sale or hire of goods and/or services, the offer of or the showing for the purpose of sale or hire of samples, patterns or specimens of any goods and any business or activity which is not otherwise specifically classified within this By-law.

**B. REASONS FOR REQUIRING LICENCE AND/OR IMPOSING CONDITIONS:**

1. For the purpose of protection of the consumer and to ensure that the business is not a nuisance to the surrounding properties and neighbourhood.

**C. REQUIREMENTS AND CONDITIONS OF LICENCE:**

1. No person shall carry on, conduct, operate, maintain, keep or engage in any business not specifically identified and licensed otherwise under the provisions of this by-law without first obtaining a Basic Business licence to do so.
2. No person shall make application for a Basic Business licence where such business operation is otherwise specifically identified under the provisions of this by-law.
3. Every person operating under a Basic Business licence shall:
  - a. at all times maintain and keep safe and clean and in good condition and repair any object, amusement, vehicle, place or premise for which the licence has been issued;
  - b. not breach or violate or cause, suffer or permit any breach or violation of any by-law of the Town, or any statute, Order-In-Council, or Regulation of the Legislature of the Province of Ontario or the Parliament of Canada or of any agency, board of commission thereof, in, upon, or in connection with the business or premise for, or in relation to which the licence was issued;
  - c. not cause, suffer, or permit any nuisance to arise in, on, or in connection with the object, amusement, vehicle, place or premise for which the licence was issued;
  - d. not cause, suffer or permit any shouting, noise or other disturbance in, on, or in connection with the object, amusement, vehicle, place or premise for which the licence was issued, which is unnecessary, unreasonable or contrary to any municipal by-law prohibiting the same; and if such shouting, noise or other disturbance occurs, the licensee shall immediately take steps to cause the same to be abated;
  - e. not cause, suffer or permit any obstruction on any highway, lane or public place in front of or adjoining the place or premise for which the licence was issued;
  - f. not cause, suffer or permit any profane, offensive or abusive language or disorderly conduct in, on or in connection with any vehicle, place or premise for which the licence was issued.

4. No person shall operate a business other than from a permanent building within the Town unless otherwise permitted by this By-law.
5. No person shall operate a business that does not obtain the required approvals as set out in each Schedule attached dealing with the requirements of the Ontario Building Code Act, Ontario Fire Code, the Town's Zoning By-law, the Town's Property Standards By-law, and any other Town By-law.

**Schedule "A6"**  
**BILL DISTRIBUTOR**

**A. DEFINITIONS:**

1. "Bill Distributor" includes any person who is distributing flyers, bills, advertising notices, etc., either hand-to-hand or applying onto a vehicle.

**B. REASONS FOR REQUIRING LICENCE AND/OR IMPOSING CONDITIONS:**

1. For the purpose of ensuring that the business is not a nuisance by hindering vehicular or pedestrian traffic and/or causing a hazard in any way, and/or having a negative aesthetic impact on the municipality.

**C. REQUIREMENTS AND CONDITIONS OF LICENCE:**

1. No person shall operate or maintain the business of a bill distributor within the Town without first having obtained a licence to do so.
2. Every person licensed under this Schedule shall be exempt from operating out of a permanent building.
3. No bill distributor shall distribute any handbill, circular or other paper within the Town by depositing same upon any motor vehicle, parked or standing in any public place, or by handing same to pedestrians or others on streets, highways, roads or on any sidewalk, boulevard or footpath without first having obtained a licence to do so.
4. Notwithstanding the foregoing, no licence shall be required by any individual distributing newspapers, magazines, religious material or any handbill, circular or other paper distributed by an employee of Canada Post.
5. No person shall distribute any bills, posters, circulars or other paper that, in the opinion of the Business Licensing Officer, are indecent or tend to corrupt morals.
6. Every bill distributor shall provide the full operating name, operating address, registered name and mailing address for the company, firm or corporation with whom he is employed.

**Schedule "A7"**  
**BILLIARD OR POOL ESTABLISHMENTS**

**A. REASONS FOR REQUIRING LICENCE AND/OR IMPOSING CONDITIONS:**

1. For the purpose of protecting the health and safety of the customers, and to ensure that the business is not a nuisance to the surrounding area.

**B. REQUIREMENTS AND CONDITIONS OF LICENCE:**

1. No person or proprietary club shall, for hire or gain directly or indirectly, operate at a premise more than two billiard or pool tables within the Town without first having obtained a business licence to do so.
2. Prior to a business licence being issued by the Business Licensing Officer or designate, the applicant must obtain the approvals listed below:
  - a. Zoning Department;
  - b. Fire Department;
  - c. Building Department;
  - d. Property Standards Office;
  - e. Health Unit.
3. The licensee shall maintain, keep and operate at all times the premises licensed hereunder in an orderly, respectable and sanitary manner.
4. The licensee shall ensure that within the licensed premises there are no pay-offs, betting or offering of any article or thing as prize in contravention of the Criminal Code.

**Schedule "A8"**  
**BODY PIERCING AND/OR TATTOO PARLOUR**

**A. DEFINITIONS:**

1. "Body Piercing Parlour" means a business or premise where parts of a body are punctured by a sharp-pointed instrument for the purpose of making a hole or opening through which an item may be attached to the body, but shall not include a premise, which is operated solely for the purpose of piercing earlobes (see Schedule A4).
2. "Tattoo Parlour" means a premise where the skin of an individual is marked by puncturing it and inserting a pigment(s) to make permanent marks or designs.

**B. REASONS FOR REQUIRING LICENCE AND/OR IMPOSING CONDITIONS:**

1. For the purpose of protecting the health and safety of the consumer, and to ensure that the business is not a nuisance to the surrounding properties and neighbourhood.

**C. REQUIREMENTS AND CONDITIONS OF LICENCE:**

1. No person shall operate or maintain the business of a body piercing and/or tattoo parlour within the Town without first obtaining a licence to do so.
2. Prior to a business licence being issued by the Business Licensing Officer or designate, the applicant must obtain the approvals listed below:
  - a. Zoning Department;
  - b. Fire Department;
  - c. Building Department;
  - d. Property Standards Office
  - e. Health Unit.
3. Every person licensed to operate a body piercing and/or tattoo parlour shall comply with the regulations of the Health Unit, and shall cause all persons employed in the business to observe and comply with the regulations of the Health Unit as set out in the Public Health Act or under the authority of any other Statute, Regulation or By-law by the Medical Officer of Health.
4. No person shall dispose of any needle or other similar piercing instrument, item or tool in an unsafe manner.
5. No person shall offer for sale or sell food or beverages on the premises.
6. The licensee shall ensure that no room in the premises is being used as living, eating, food preparing, bathing or sleeping quarters.
7. The licensee shall ensure that the Personal Services Setting Protocol, as established by the Health Unit, is adhered to at all times.

**Schedule "A9"**  
**BOWLING ALLEY**

**A. REASONS FOR REQUIRING LICENCE AND/OR IMPOSING CONDITIONS:**

1. For the purpose of protecting the health and safety of the consumer, and to ensure that the business is not a nuisance to the surrounding properties and neighbourhood.

**B. REQUIREMENTS AND CONDITIONS OF LICENCE:**

1. No person shall operate or maintain the business of a bowling alley within the Town without first obtaining a licence to do so.
2. Prior to a business licence being issued by the Business Licensing Officer or designate, the applicant must obtain the approvals listed below:
  - a. Zoning Department;
  - b. Fire Department;
  - c. Building Department;
  - d. Property Standards Office;
  - e. Health Unit.
3. The licence shall reflect a maximum occupant load as determined by the Fire Chief or his designate.
4. Every person who holds a current licence shall display in a prominent place at the entrance and inside the licensed premises the maximum occupant load as authorized under the licence issued by the Business Licensing Officer.
5. Every person who holds a current licence shall not permit a greater number of persons than authorized by the licensed capacity to enter or be in the premises licensed as a bowling alley.
6. The licensee shall maintain, keep and operate the premises licensed hereunder at all times in an orderly, respectable and sanitary manner.

**Schedule "A10"**  
**CAR WASH**

**A. DEFINITIONS:**

1. "Car Wash" means a building and lot used for the washing or cleaning of motor vehicles by washing equipment and shall include an auto detailing shop, but shall not include any other defined automotive use.

**B. REASONS FOR REQUIRING LICENCE AND/OR IMPOSING CONDITIONS:**

1. For the purpose of ensuring that the business is not a nuisance by hindering vehicular or pedestrian traffic and/or causing a hazard in any way and/or having a negative aesthetic impact on the municipality.

**C. REQUIREMENTS AND CONDITIONS OF LICENCE:**

1. No person shall own, operate or maintain the business of a car wash within the Town without first obtaining a licence to do so.
2. Every person operating a building or place where motor vehicles are washed cleaned or polished for a fee or charge shall be deemed to be operating the business of a car wash.
3. Prior to a business licence being issued by the Business Licensing Officer or designate, the applicant must obtain the approvals listed below:
  - a. Zoning Department;
  - b. Fire Department;
  - c. Building Department;
  - d. Property Standards Office.
4. This Section shall not apply to a bay contained within a garage or service station where the floor area is not primarily used for car washing.
5. No licensee shall permit the engine of a motor vehicle to run in any building unless adequate ventilation is provided to ensure dilution of any carbon monoxide fumes.
6. The licensee shall ensure that any signs are of such size, colour and design and are so placed as to cause neither distraction nor confusion to motorists or pedestrians and comply with the Town's Sign By-laws.
7. The licensee shall ensure that any vehicles left for washing on private property are parked on a temporary basis.
8. The licensee shall provide, during hours of operation, adequate illumination of a type and in locations so as not to create a nuisance or distraction to passing traffic or adjacent properties.

**Schedule "A11"**  
**CARNIVALS/CIRCUSES & SIMILAR SHOWS**

**A. DEFINITIONS:**

1. "Carnival" means a business operating amusement ride(s) or other device(s) and authorized games of chance intended to entertain, amuse or provide entertainment to the public.
2. "Circus" means a performance exhibiting equestrian, animal, acrobatic and other performances and shall include any other similar show.

**B. REASONS FOR REQUIRING LICENCE AND/OR IMPOSING CONDITIONS:**

1. For the purpose of health and safety of the people who enter a carnival, circus or similar show, to ensure that the business is not a nuisance to the surrounding properties and neighbourhood, and to ensure the protection of consumers for goods and/or services purchased and to ensure that the animals are properly cared for.

**C. REQUIREMENTS AND CONDITIONS OF LICENCE:**

1. No person shall operate or maintain the business of a carnival, circus or similar show, which shall include the operation of any merry-go-round, carousel, switchback railway or other ride or game of amusement associated with such operation within the Town without first having a licence to do so.
2. The application shall contain a description of the circus and the amusement devices to be used in connection therewith, and shall also give the full name and address of all persons and corporations who own or have any interest in same.
3. Every person licensed under this Schedule shall be exempt from operating out of a permanent building.
4. Prior to a business licence being issued by the Business Licensing Officer or his designate, the applicant must obtain the approvals listed below:
  - a. Zoning Department;
  - b. Fire Department;
  - c. Building Department;
  - d. Property Standards Office;
  - e. Health Unit.
5. At the time of application, the applicant shall provide to the Business Licensing Officer proof in liability insurance in the amount of \$5,000,000, and where the carnival is to take place on municipal property, such insurance shall name the Corporation of the Town of Wasaga Beach as an additional insured.
6. Notwithstanding Section 5. If, for any reason, the insurance policy above is cancelled, or for any other reason does not remain in effect, the business licence issued under this Schedule shall become null and void on the final date for which the insurance was valid.

7. At the time of application, the applicant shall provide to the Business Licensing Officer or as otherwise requested, an Ontario Amusement Device Permit and Technical Standards and Safety Authority (TSSA) Certificate issued within twelve (12) months of the date of application.
8. At the time of application, the applicant shall provide to the Business Licensing Officer the name, address and contact telephone numbers of the person having control and charge of the operation of the carnival, circus and/or similar show(s).
9. No person having control or charge of such an operation shall commence to assemble or erect any tent, shelter, cage, pool, stand, platform, seating accommodation, machinery, plant, apparatus or mechanical device or ride or any other structure or erection until a licence has been obtained. All tent structures shall be ULC and/or CSA approved.
10. The licensee shall ensure that the electrical system, equipment, fuses and switches are inaccessible to the public, and cables in the ground in areas used by the public are placed in trenches or suitably protected as required by the Town.
11. The licensee shall ensure that all electrical systems are operated and maintained in a safe manner.
12. The licensee shall provide adequate washroom facilities for the use of staff and public patrons of all circuses and similar shows.
13. The licensee shall ensure that garbage and waste are removed from the premises as often as is necessary to maintain the premise in a sanitary condition.

**Schedule "A12"**  
**CATERER**

**A. DEFINITIONS:**

1. "Caterer" means a person who prepares food or meals off site and supplies same for social, professional or other similar events.

**B. REASONS FOR REQUIRING LICENCE AND/OR IMPOSING CONDITIONS:**

For the purpose of protecting the health and safety of the customers and to ensure that the caterer is following all health regulations.

**C. REQUIREMENTS AND CONDITIONS OF LICENCE:**

1. No person shall operate or maintain the business of a caterer within the Town without first obtaining a licence to do so.
2. Every person licensed under this Schedule shall be exempt from operating out of a permanent building.
3. Every person operating the business of a caterer shall observe and comply with the regulations of the Health Unit and shall cause all persons employed in the business to observe and comply with the regulations of the Health Unit as set out in the Public Health Act or under the authority of any other Statute, Regulation or By-law by the Medical Officer of Health.
4. Prior to a business licence being issued by the Business Licensing Officer or designate, the applicant must obtain the approvals listed below:
  - a. Health Unit;
5. No person shall operate or provide any service as a caterer in any unsanitary condition or in any premises which, because of the situation, construction or condition thereof, exposes any food to the risk of contamination.
6. No person shall use any room for the preparation, keeping or storage of any food by the caterer as a place for sleeping.
7. No person shall permit any dog, cat or other animal to be in or on any premises or place where the caterer is preparing food.

**Schedule "A13"**  
**CIGARS, CIGARETTES AND TOBACCO**

**A. DEFINITIONS:**

1. "Cigar, Cigarette & Tobacco Shop" means any location, premise or operation where cigars, cigarettes and/or tobacco products are sold or offered for sale by retail.

**B. REASONS FOR REQUIRING LICENCE AND/OR IMPOSING CONDITIONS:**

1. To ensure that the business is not a nuisance to the surrounding properties and neighbourhood.

**C. REQUIREMENTS AND CONDITIONS OF LICENCE:**

1. No person shall sell, offer for sale or permit to be sold cigars, cigarettes or tobacco on any premises within the Town without first obtaining a licence to do so.
2. No person shall, directly or indirectly, sell, give or furnish to a child under nineteen (19) years of age, cigars, cigarettes, and/or tobacco in any form in accordance with the Smoke Free Ontario Act.
3. This Section shall not apply to the sale of cigars, cigarettes or tobacco within an otherwise licensed business operation.
4. Prior to a business licence being issued by the Business Licensing Officer or designate, the applicant must obtain the approvals listed below:
  - a. Zoning Department;
  - b. Fire Department;
  - c. Building Department;
  - d. Property Standards Office;
  - e. Health.

**Schedule "A14"**  
**CONTRACTOR/TRADES**

**A. DEFINITIONS:**

1. "Contractor" means a person who makes an agreement with another person to do work, retaining in himself control of the means, method and manner of producing the result to be accomplished.
2. "Alarm Installation Contractor" means a person who installs alarms or other warning or sounding devices which are intended to alert as to an impending danger or risk and shall include but is not limited to fire and burglar alarms.
3. "Antenna Installation Contractor" means a person who installs, erects, constructs, reconstructs, alters or repairs structures used as an antenna, and shall include, but is not limited, to satellite dishes and television antennas.
4. "Building Renovator" means a person who alters, repairs or renovates existing buildings or structures.
5. "Chimney Repair" means a person who repairs, reconstructs or otherwise restores chimneys to a good condition.
6. "Demolition Contractor" means a person engaged in the business of pulling or knocking down, destroying or otherwise reducing to ruin any building or structure.
7. "Drain Layer" means a person who is skilled in the installation, repairing and replacing of drains, installing septic tanks, removing tree roots or other obstructions from drains and private drain corrections by mechanical or other means or doing other drainage work as defined in Ontario Regulation 815-84, as amended by Ontario Regulation 675-85.
8. "Drain Laying Contractor" means a person who undertakes drainage work and who is a drain layer or has in his employ a drain layer for the purpose of carrying out the business of installing, replacing or repairing drains, installing septic tanks, repairing or reconstructing drains, removing tree roots or other obstructions from drains and private drain connections by mechanical means or other means or doing other work as defined in Ontario Regulations 815-84, as amended by Ontario Regulation 675-85.(check Sections).
9. "Fencing Contractor" means a person who erects, installs, repairs or otherwise restores to good condition a fence, enclosure, separation or any other delineating structure.
10. "Flooring Contractor" means a person engaged in the business of installing flooring.
11. "General Contractor" means a person who is responsible for the overall project of building or constructing any structure of any kind which has not previously been erected, built or constructed in whole or in part. Does not include a building renovator, master plumber, plumbing contractor, drain layer, drain laying contractor, heating installer, air conditioning installer, refrigeration installer, insulation installer, gas fitter, sheet metal contractor or other specialized trade.

12. "Heating, Air Conditioning or Refrigeration Installation Contractor" means a person who engages in the installation of hot air, hot water and steam heating equipment of any kind or equipment designed to regulate the humidity and temperature in a building or structure.
13. "Home Inspector" means a person who provides a client with information regarding the condition of the systems and components of a home or property as a result of a home or property inspection at the time of inspection.
14. "Insulation Installation Contractor" means a person who carries on the business of installing insulation of any kind in buildings.
15. "Mechanical Contractor" means a person or one who employs an individual(s) skilled and qualified as a gas fitter and/or sheet metal worker. It does not include a building renovator, electrician, electrical contractor, plumbing contractor, drain layer or general contractor.
16. "Paving/Resurfacing Contractor" means a person who lays a superficial covering of tar, rubber, pavement or other similar product on or over a street, road, driveway or other surface and shall include, but is not limited to, resurfacing, top coating or other similar applications to a surface.
17. "Plumbing Contractor Journeyman" means a person who is engaged in the business of contracting for the making and repairing a plumbing installation or plumbing work, or in any way solicits, advertises or holds himself out to the public as doing plumbing work or as being a plumbing contractor.
18. "Property Maintenance Contractor" means a person who provides property maintenance services including, but not limited to:
  - a. trimming, mowing, fertilizing, weeding or otherwise establishing or maintaining a lawn or other grassed or landscaped area;
  - b. landscaping including the planning and planting of gardens and grounds by modifying or enhancing the natural scenery;
  - c. the plowing, shoveling or otherwise removing of snow or ice.
19. "Sandblaster Contractor" means a person who, for gain, uses chemicals or pressurized air, water, steam, sand or other abrasives to clean or restore the exteriors of buildings or other structures.
20. "Sheet Metal Contractor" means a person who manufactures, fabricates, assembles, handles, erects, installs, dismantles, reconditions, adjusts, alters, repairs or services all ferrous and non ferrous sheet metal work of No 10 U.S gauge or of any equivalent or lighter gauge and all other materials used in lieu thereof; and reads and understands shop and field sketches used in fabrication and erection, including those taken from original architectural and engineering drawings or sketches.
21. "Tree Cutting Contractor" means a person who trims, cuts or removes by any means trees, shrubs, saplings or other similar vegetation.

## **B. REASONS FOR REQUIRING LICENCE AND/OR IMPOSING CONDITIONS:**

1. For the purposes of consumer protection to ensure that the service provided is up to industry standards.

**C. REQUIREMENTS AND CONDITIONS OF LICENCE:**

1. No person shall operate or maintain the business of a contractor, as previously defined, within the Town without first having obtained a licence to do so.
2. No municipal permit shall be issued unless the contractor has obtained a business licence as required herein.
3. Every person licensed under this Schedule shall be exempt from operating out of a permanent building.
4. A contractor who operates the business from an appropriately zoned premises/property, offering the availability of both contracting and retail services, must obtain the following approvals prior to a business licence being issued by the Business Licensing Officer or designate:
  - a. Zoning Department;
  - b. Fire Department;
  - c. Building Department;
  - d. Property Standards Office.
5. Every contractor shall ensure that all necessary Municipal permits are obtained prior to commencement of any work and that all inspections of completed work are obtained as may be necessary.
6. The licensee shall ensure that, in the course of any contractor activity, the necessary precautions are taken to ensure that no damage is caused to any person, premises, location, building or object.
7. No contractor shall permit the external storage of goods, materials and/or equipment on any residential property and any contractor activity shall be clearly secondary to the existing residential use and shall not change the residential character of the property.
8. The following contractors will be required to provide to the Business Licensing Officer, at the time of application, proof of liability insurance in the minimum amount of \$2,000,000.00:
  - a. drain laying contractor
  - b. heating, ventilation and air conditioning contractor
  - c. mechanical contractor
  - d. paving/resurfacing contractor
  - e. plumbing contractor
  - f. property maintenance contractor
  - g. sheet metal contractor
  - h. tree cutting contractor
9. Notwithstanding Section 8. If, for any reason, the insurance policy above is cancelled, or for any other reason does not remain in effect, the business licence issued under this Schedule shall become null and void on the final date for which the insurance was valid.

10. In the case of a drain laying contractor/drain layer and plumbing contractor/journeyman plumber, approval of the application from the Town's Building Department must be obtained prior to the issuance of a business licence.
11. Requirements specific to certain contractors, such as provision of insurance and certification, employee lists, etc., are set out in Schedule B to this By-law.
12. The licensee shall, within fourteen (14) days of any change of address, notify the Licensing Coordinator.
13. The licensee shall take reasonable precautions to ensure that the use/application of any product, chemical or substance is confined to the particular property for which the contract applies.
14. No person shall deposit snow, debris, material or substance on any Town sidewalk, boulevard, street or other Municipal property or in contravention of any Town By-law.
15. No person shall permit the cutting of any tree, shrub or other growth before 8:00 a.m. or after sunset nor shall that person cut any tree, shrub or other growth on Town property unless authorized to do so.
16. There shall be no parking or storage of more than one (1) commercial vehicle in the front, exterior side or rear yard of a residential premises occupied by the contractor.
17. There shall be no delivery of merchandise, other than by a passenger motor vehicle or by parcel or letter carrier mail service, using vehicles typically employed in residential deliveries.
18. There shall be no external display of advertising to indicate that any part of a dwelling unit is being used for a purpose other than residential.

**Schedule "A15"**  
**DRIVING INSTRUCTOR**

**A. DEFINITIONS:**

1. "Driving Instructor" means the person who teaches an individual to operate motor vehicles and receives compensation therefore.

**B. REASONS FOR REQUIRING LICENCE AND/OR IMPOSING CONDITIONS:**

1. For the purpose of consumer protection to ensure that the service provided is up to industry standards.

**C. REQUIREMENTS AND CONDITIONS OF LICENCE:**

1. No person shall operate as a driving instructor within the Town without first having obtained a licence to do so.
2. At the time of application, the applicant shall provide two pieces of photo identification clearly stating the applicant's name and current residential address.
3. At the time of application, the applicant shall provide a "Driver Instructor's Permit" issued by the Ministry of Transportation, pursuant to the Highway Traffic Act, R.S.O. 1990, c.H.8, and shall maintain such permit valid for the duration of the licence. No person shall operate as a driving instructor without holding a valid Driving Instructor's Permit as issued by the Ministry of Transportation pursuant to the Highway Traffic Act, R.S.O. 1990, c.H.8.
4. At the time of application, the applicant shall provide proof of a valid Province of Ontario Driver's Licence pursuant to the provisions of the Highway Traffic Act, R.S.O. 1990, c.H.8.
5. Every Driving Instructor shall:
  - a. be fluent in reading and speaking the English language;
  - b. within fourteen (14) days of changing his address, inform the Business Licensing Office of such change and produce his licence to the Business Licensing Officer for the change to be entered thereon;
  - c. provide the Business Licensing Office with the name, mailing address and operating address of the driving school operator with whom he is employed;
  - d. at the request of the Business Licensing Officer, submit any vehicle used for the purpose of driving instruction, for inspection at such time and place as may be designated by the Business Licensing Officer, at the owner's expense;
  - e. provide to the Business Licensing Office a Certificate of Liability Insurance, certifying the owner of each vehicle used for the purpose of driving instruction is
  - f. insured against bodily injury, public liability and property damage claims, in the minimum amount of \$2,000,000 inclusive for any one occurrence. Said policy shall be endorsed to

provide that the policy will not be altered, cancelled or allowed to lapse without thirty (30) days prior written notice to the Town.

- g. Notwithstanding Section 5.f., if, for any reason, the insurance policy above is cancelled, or for any other reason does not remain in effect, the business licence issued under this Schedule shall become null and void on the final date for which the insurance was valid.
  - h. prior to giving instruction, provide to the Business Licensing Office the make, model and licence number of the vehicle(s) proposed to be used to give instruction;
  - i. provide proof of vehicle certification at the time of application, and ensure that any vehicle used for driving instruction is maintained in a safe and roadworthy condition at all times.
6. No driving instructor shall give driving instruction:
- a. to any student driver when any person other than himself, the student driver and the owner of the business or an appointee of such owner connected with the school staff is in the vehicle in which the instruction is being given, but, where all the students are under the age of twenty-five (25) years, this provision shall not apply to any course of driving instruction meeting the standard set for such driving course by the Ministry of Transportation and Communication for the Province of Ontario. In no case, shall the number of individuals in any vehicle used for instruction exceed more than four individuals;
  - b. in any vehicle which has not, in addition to the standard controls and brakes for use by the driver, extra braking equipment in good working condition placed in a position for ready use by the instructor or operator seated beside the driver;
  - c. to any student who fails to produce a valid Ministry of Transportation Level 1 (G1) permit or equivalent;
  - d. upon any street or area in the Town, from time to time, as may be designated by resolution of Council;
  - e. during the first hour of practical training on any primary traffic artery, main highway, route or heavily traveled thoroughfare;
  - f. to any student driver whose ability he knows, or has reason to suspect, is impaired by the use of any alcoholic beverage, drug or narcotic;
  - g. if the instructor has, within the previous six (6) hours, taken or consumed any alcoholic beverages or is impaired by the use of any alcoholic beverage, drug or narcotic, or if the use of any such alcoholic beverage, drug or narcotic by him is apparent in any way;
  - h. in any vehicle that has not been certified, approved and recorded by the Business Licensing Office or any vehicle which is otherwise unsafe or not roadworthy;
  - i. to any student driver who is not registered as a student at the driving school where the instructor is employed;
  - j. unless the vehicle being used for such instruction bears a sign or signs as set out in this Schedule.

7. Every instructor shall ensure that any vehicle used for driving instruction by such instructor bears:
  - a. a valid Province of Ontario licence plate;
  - b. sign(s) of such nature, size and location on the vehicle as to be readily legible at a distance of fifteen (15 m) meters from the front and rear of the vehicle, which sign shall bear the driving school name, address and telephone number and which sign shall not obstruct the clear view of the identifying number plate referred to in this Schedule.
8. The Business Licensing Officer shall have the power to suspend, cancel or revoke any licence issued under this Schedule to any person who is convicted of any indictable offence, or of any breach of the provisions of this Schedule, or for any other reason that is deemed sufficient to warrant suspension, cancellation or revocation of the licence;
9. If, for any reason, the insurance policy referred to in this Schedule is cancelled, or for any other reason does not remain in effect, the business licence issued by the Business Licensing Officer or designate shall become void on the final date for which the insurance was valid.

**Schedule "A16"**  
**DRIVING SCHOOL OPERATOR**

**A. DEFINITIONS:**

1. "Driving School Operator" means the business of teaching an individual to operate motor vehicles which shall include, but is not limited to, classroom instruction as well as on road instruction.

**B. REASONS FOR REQUIRING LICENCE AND/OR IMPOSING CONDITIONS:**

1. For the purpose of consumer protection to ensure that the service provided is up to industry standards.

**C. REQUIREMENTS AND CONDITIONS OF LICENCE:**

1. No person shall operate or maintain the business of a driving school operator within the Town without first having obtained a licence to do so.
2. At the time of application, the applicant shall provide to the Business Licensing Office with a list of vehicles to be used in the business for the purpose of driving instruction, identifying same by vehicle make, model and licence plate number.
3. At the time of application, the applicant shall provide to the Business Licensing Office a written statement of rates or charges for all services provided by the school.
4. Every driving school operator shall:
  - a. be fluent in reading and writing the English language;
  - b. within fourteen (14) days of any change in his mailing or operating address, advise the Business Licensing Office and furnish the particulars of the new address;
  - c. notify the Business Licensing Office within fourteen (14) days of any change or addition in the vehicles being used for the purpose of driving instruction, and the driving school operator shall provide the make, model and licence plate number of any and all vehicles affected. If the operator ceases to use any such vehicle, the plate issued by the town shall be immediately returned to the Business Licensing Officer. Where vehicles are added to the operation, plates shall be issued by the Business Licensing Officer or designate and placed by the operator on the vehicle(s) as outlined in Schedule "A15" of this By-law;
  - d. provide in every vehicle used in the business a frame or other device for the holding of the licence and photograph of the driving instructor;
  - e. keep a permanent record of the name and address of each student, the date of commencement and date of completion of instruction, the date, time and name of instructor for each lesson, the number of the student's Ontario Motor vehicle operator's licence or Ontario Motor vehicle temporary instruction permit, and the expiry date of such motor vehicle operator's licence or motor vehicle temporary instruction permit;

- f. allow the Officer to have access to all premises, vehicles, equipment, books and records used in the business and submit any vehicle for inspection at such time and place as may be designated by the Business Licensing Officer at the owner's expense;
- g. ensure that all vehicles used in the business for the purpose of driving instruction are maintained in a safe and roadworthy condition and shall, at the time of application or addition or change of vehicles, provide proof of certification of each vehicle to be used;
- h. notify the Business Licensing Office in writing of the name and address of each driving instructor employed by him and the date of commencement of such employment, and advise the Business Licensing Officer in writing of the name and address of any driving instructor ceased to be employed, and such notification shall be given no later than fourteen (14) days after commencement or ceasing of the employment;
- i. before entering into agreement for driving instruction with any person, or giving instruction, furnish to such person a written statement of all rates and charges as filed with the Business Licensing Office;
- j. adhere to the rates and charges published in the statement referred to in this Schedule, and give fourteen (14) days advance notice to the Business Licensing Office of any new statement of rates and charges which he proposes to publish in lieu of the existing statement.

5. Insurance:

- a. Every operator of business to which this Schedule relates shall procure liability insurance for each driving school vehicle which is used for the purpose of giving instruction in the amount of \$2,000,000 inclusive for any one occurrence, said policy to be endorsed to provide that the policy will not be altered, cancelled or allowed to lapse without thirty (30) days prior written notice to the Town;
- b. Notwithstanding Section 5.a., if, for any reason, the insurance policy above is cancelled, or for any other reason does not remain in effect, the business licence issued under this Schedule shall become null and void on the final date for which the insurance was valid.
- c. Every operator of a business to which this Schedule relates shall procure liability insurance for each driving school vehicle which is used for the purpose of giving instruction, for bodily injury and property damage caused by owned and non- owned vehicles, in the amount of \$2,000,000 inclusive for any one occurrence. A "vehicle" shall be defined in the Highway Traffic Act.
- d. A certified copy of the insurance policy or a certificate issued in regard thereto shall be deposited with the Business Licensing Office;
- e. The insurance policy shall be endorsed to include the Corporation of the Town of Wasaga Beach as additional named insured.

6. No driving school operator shall:

- a. cause or permit instruction to be given in any vehicle which has not, in addition to the standard controls and brakes used by the driver, extra braking equipment in good working

condition placed in a position for ready use by the instructor or operator seated beside the driver;

- b. cause or permit instruction to be given to or an agreement to be entered into with any student driver who fails to produce a current Ontario motor vehicle operator's licence or a current Ontario motor vehicle operators temporary instruction permit;
  - c. cause or permit driving instruction to be given upon any street or area in the Town, from time to time, as may be designated by resolution of Council;
  - d. cause or permit driving instruction to be given to any student during the first hour of practical training on any primary traffic artery, main highway, route or heavily traveled thoroughfare;
  - e. advertise driving school service or instruction unless it operates from the address so licensed and advertised;
  - f. use or permit to be used in the business any vehicle unless the same has securely affixed to the back thereof and in a visible and prominent position, as recommended by the Business Licensing Office, a plate issued by the Business Licensing Office bearing an identifying number and indicating that such vehicle is used in a business licensed for the current year by the Business Licensing Officer or designate;
  - g. use or permit to be used in the business any vehicle that has not been certified and approved and recorded by the Business Licensing Office, or a vehicle which is otherwise unsafe or not roadworthy;
  - h. employ an instructor not licensed under the provisions of this By-law;
  - i. use or permit to be used in his business any vehicle unless the same bears a valid Province of Ontario licence plate; sign(s) of such nature, size and location on the vehicle as to be readily legible at a distance of fifteen (15m) meters from the front and rear of the vehicle, which sign shall bear the driving school name, address and telephone number and which sign shall not obstruct the clear view of the identifying number plate referred to in this Schedule.
7. No operator shall knowingly employ an instructor currently employed by another driving school operator.
  8. The Business Licensing Officer shall have the power to suspend, cancel or revoke any licence issued under this Schedule to any person convicted of an indictable offence or any breach of the provisions of the Highway Traffic Act, or who is convicted under the provision of this Schedule, or for any other reason deemed sufficient to warrant suspension, cancellation or revocation of this licence.

**Schedule "A17"**  
**DRY CLEANER**

**A. DEFINITIONS:**

1. "Dry Cleaner" means the business of dry cleaning, dry dyeing, cleaning, pressing and spot or stain removal or other similar application to clothing or fabric.
2. "Dry Cleaning or Laundry Outlet" means a premise used for the purpose of receiving articles or goods of fabric to be subjected elsewhere to a process of cleaning or dyeing. Such establishment may also be used for pressing and/or distributing any articles or goods or fabric which have been received therein, and may include a self service dry cleaning and/or a self service laundry.
3. "Dry Cleaning Facility" means a premise or part thereof used for the purpose of receiving, pressing, dyeing, dry cleaning and distributing of any such goods or articles, wherein only non-flammable solvents are used, no odours or fumes are emitted and/or no noise or vibration is created which causes or may cause nuisance or inconvenience within or external to the premises.

**B. REASONS FOR REQUIRING LICENCE AND/OR IMPOSING CONDITIONS:**

1. For the purpose of protecting the health and safety of the consumer, and to ensure that the business is not a nuisance to the surrounding properties and neighbourhood.

**C. REQUIREMENTS AND CONDITIONS OF LICENCE:**

1. No person shall operate or maintain the business of a dry cleaner within the Town without first obtaining a licence to do so.
2. Prior to a business licence being issued by the Business Licensing Officer or designate, the applicant must obtain the approvals listed below:
  - a. Zoning Department;
  - b. Fire Department;
  - c. Building Department;
  - d. Property Standards Office;
  - e. Health Unit.
3. Every person, firm or corporation who operates the business of dry cleaning, dry dyeing, cleaning and pressing, spot or stain removing, or receiving articles or goods to be subjected to any such process, and for the distribution of articles or goods that have been subjected to any such process shall be deemed to be operating the business of a dry cleaner.
4. Every licensee under this Schedule shall cause the licensed premises, together with its offices and appurtenances and any vehicles, wagons or trucks used in the business, to be kept in a clean and sanitary condition.
5. The licensee shall ensure that no room in the premises is being used for living, eating, food preparation, bathing or sleeping quarters.

6. Every branch office, depot, premises or other location where dry cleaning, dry dyeing, cleaning and pressing, spot or stain removing is done, received to be done or returned after being done shall display a sign plainly affixed in a prominent place on the outside street wall of the premises, containing the name of the dry cleaning business controlling or owning such premises or for whom such work is received or delivered, in print not less than eight (8) cm high, and no such work shall be collected at, received from or delivered to the public from any premise unless such sign is affixed.
7. Every person employed in such premises licensed under this By-law shall keep himself and his wearing apparel in a clean and sanitary condition.
8. Every owner or operator of a dry cleaning establishment shall not:
  - a. permit the use of solvents that are flammable and emit odours;
  - b. permit any noise or vibration which may cause inconvenience within or outside the premises.
9. All premises shall comply with the Ontario Fire Code and any applicable municipal regulations.
10. Every licensee under this Schedule will, at all times, conduct said business in a sanitary manner.

**Schedule "A18"**  
**ENTERTAINMENT ESTABLISHMENT**

**A. DEFINITIONS:**

1. "Entertainment Establishment" means a premise, building, land or structure used for leisure activities in which the consumer or customer acts as an observer and does not actively participate. It shall include, but is not limited to, motion picture premises or theatres, live performance theatres, planetariums, concert halls and other similar uses, but shall not include arenas, adult entertainment parlours, or any use entailing the outdoor operation or racing of animals or motorized vehicles or any establishment involving gambling or gaming activities.

**REASONS FOR REQUIRING LICENCE AND/OR IMPOSING CONDITIONS:**

1. For the purpose of protecting the health and safety of the attendants, to ensure that the business is not a nuisance to the surrounding properties and neighbourhood, and the consumer's protection of those individuals who attend and partake in the services of the establishment.

**REQUIREMENTS AND CONDITIONS OF LICENCE:**

1. No person shall operate or maintain the business of an entertainment establishment within the Town without first having obtained a licence to do so.
2. Prior to a business licence being issued by the Business Licensing Officer or designate, the applicant must obtain the approvals listed below:
  - a. Zoning Department;
  - b. Fire Department;
  - c. Building Department;
  - d. Property Standards Office;
  - e. Health Unit.
3. At the time of application, the applicant shall provide to the Business Licensing Office the occupant load for the premise as set out by the Fire Chief or his designate.
4. The licensee shall display in a prominent place with the licensed premise, Occupant Load Notices as may be applicable, displaying the maximum occupant load as determined by the Fire Chief or designate.
5. No person shall permit a greater number of persons to enter or be in the entertainment establishment at one time than stated as the maximum occupant load on the Occupant Load Notice.
6. The licensee shall comply with all requirements and provisions of the Ontario Fire Code and the Theatres Act, R.S.O. 1990 and/or such conditions or regulations thereto as otherwise may apply to the operation of such premise.

7. Every licensee or operator shall ensure that the forming of queues for the purpose of gaining entry to the entertainment establishment does not obstruct any other place of business, residence, sidewalk, highway, ingress or egress to or from private property and that an attendant is present whenever a queue is formed for the purpose of regulating such queue.
8. The licensee shall ensure that garbage and waste are removed from the premises as often as is necessary to maintain the premise in a sanitary condition.

**Schedule "A19"**  
**FOOD SHOP**

**A. DEFINITIONS:**

1. "Food Shop" means all premises where foodstuffs intended for human consumption are made for sale, offered for sale, stored or sold. Such premise shall include, but is not limited to, bakeries, delicatessens, fish and butcher shops, convenience stores, etc., but does not include any restaurant or similar food operation.

**B. REASONS FOR REQUIRING LICENCE AND/OR IMPOSING CONDITIONS:**

1. For the purposes of protecting the health and safety of the customers, to ensure the protection of the consumer, and to ensure that the business is not a nuisance to the surrounding properties and neighbourhood.

**C. REQUIREMENTS AND CONDITIONS OF LICENCE:**

1. No person shall operate or maintain any business or premises where foodstuffs intended for human consumption are made for sale, offered for sale, stored or sold within the Town without first obtaining a licence to do so.
2. Every person operating the business of a food shop shall observe and comply with the regulations of the Health Unit, and shall cause all persons employed in the business to observe and comply with the regulations of the Health Unit as set out in the Public Health Act or under the authority of any other Statute, Regulation or By-law by the Medical Officer of Health.
3. Prior to a business licence being issued by the Business Licensing Officer, the applicant must obtain the approvals listed below:
  - a. Zoning Department;
  - b. Fire Department;
  - c. Building Department;
  - d. Property Standards Office;
  - e. Health Unit.
4. No person shall use a place where food is prepared, made or stored within the licensed premises for sleeping.
5. The licensee shall ensure that garbage and waste are removed from the premise as often as is necessary to maintain the premise in a sanitary condition.
6. This Schedule shall not apply to premises, which contain only automatic dispensers for bottled or canned beverages and/or automatic dispensers for pre-packaged confectionery items.

**Schedule "A20"**  
**GAS BAR**

**A. DEFINITIONS:**

1. "Gas Bar" means a business where automobiles, recreational vehicles, boats or any other vehicle or item is supplied with gasoline, propane, natural gas, diesel, electricity or other fuelling or powering agent of any kind.

**B. REASONS FOR REQUIRING LICENCE AND/OR IMPOSING CONDITIONS:**

1. For the purpose of protecting the health and safety of the consumer, and to ensure that the business is not a nuisance to the surrounding properties and neighbourhood.

**C. REQUIREMENTS AND CONDITIONS OF LICENCE:**

1. No person shall operate or maintain the business of a gas bar within the Town without first having obtained a licence to do so.
2. Prior to a business licence being issued by the Business Licensing Officer or designate, the applicant must obtain the approvals listed below:
  - a. Zoning Department;
  - b. Fire Department;
  - c. Building Department;
  - d. Property Standards Office.
3. No person shall:
  - a. permit the licensed premises to be used for the wrecking or storage of wrecked and/or unlicensed vehicles, unless licensed to do so under the provisions of this By- law;
  - b. park or store any motor vehicle on any sidewalk, boulevard, highway or road;
  - c. permit the engine of any motor vehicle to run in any building whether on a frame or in a motor vehicle, unless adequate ventilation is provided to ensure dilution of carbon monoxide fumes;
  - d. remove or cause to be removed any snow from the premise to any public sidewalk, boulevard, street, roadway or other municipal property;
4. Every person shall:
  - a. keep the premise free from rubbish and in a clean and neat condition;
  - b. keep any sidewalk or street upon which the premise abuts free from any dirt or other foreign substance derived from or resulting from the use thereof;
5. The licensee shall ensure that garbage and waste are removed from the premises as often as is necessary to maintain the premise in a sanitary condition.

**Schedule "A20a"**  
**GAS BAR, CONVENIENCE STORE COMBINATION**

**A. DEFINITIONS:**

1. "Gas Bar," means a business where automobiles, recreational vehicles, boats or any other vehicle or item is supplied with gasoline, propane, natural gas, diesel, electricity or other fueling or powering agent of any kind.
2. "Convenience Store" means a business where cigar, cigarette, tobacco and perishable foodstuffs intended for human consumption are available for sale.
3. "Combination" means the combining of two or more businesses or sets of commercial interests under same proprietorship.

**B. REASONS FOR REQUIRING LICENCE AND/OR IMPOSING CONDITIONS:**

1. For the purpose of protecting the health and safety of the customers, to ensure the protection of the consumer, and to ensure that the business is not a nuisance to the surrounding properties and neighborhood.

**C. REQUIREMENTS AND CONDITIONS OF LICENCE:**

1. No person shall operate or maintain the business of a gas bar, convenience store within the Town without first obtaining a licence to do so.
2. No person shall sell, offer for sale or permit to be sold cigars, cigarettes or tobacco either directly or indirectly give or furnish to a child under nineteen (19) years of age in accordance with the Smoke Free Ontario Act.
3. Any and all person(s) operating the business of any type of food packaged or other is to observe and comply with the regulations of the Health Unit, and shall cause all person(s) employed in the business to observe and comply with the regulations of the Health Unit as set out in the Public Health Act or under the authority of any other Statute, Regulation or By-law by the Medical Officer of Health.
4. Prior to a business licence being issued by the Business Licencing Officer, the applicant must obtain the approvals listed below:
  - a. Zoning Department
  - b. Building Department
  - c. Fire Department
  - d. Property Standards Office
  - e. Health
5. No person shall:
  - a. permit the licenced premises to be used for the wrecking or storage of wrecked and /or unlicenced vehicles, unless licenced to do so under the provisions of this By-law,
  - b. park or store any motor vehicle on any sidewalk, boulevard, highway or road,

- c. permit the engine of any motor vehicle to run in any building whether on a frame or in a motor vehicle, unless adequate ventilation is provided to ensure dilution of carbon monoxide fumes,
  - d. remove or cause to be removed any snow from the premise to any public sidewalk, boulevard, street, roadway or other municipal property.
6. Every person shall:
- a. keep any sidewalk or street upon which the premise abuts free from any dirt or other foreign substance derived from or resulting from the use thereof,
  - b. the licensee shall ensure that garbage and waste are removed from the premise as often as is necessary to maintain the premise in a sanitary condition.

**Schedule "A21"**  
**HAWKER AND PEDDLER**

**A. DEFINITIONS:**

1. "Hawker and Peddler" means a transient trader, mobile vendor or any person who goes from place to place or to a particular place with products for sale, or who carries or displays samples, patterns or specimens of any products that are to be sold or delivered in the Town afterwards, or any corporation, partnership or association which has an employee or agent who goes from place to place or to a particular place with products for sale, or who carries and displays samples, patterns or specimens of any products that are to be sold or delivered in the Town afterwards.

**B. REASONS FOR REQUIRING LICENCE AND/OR IMPOSING CONDITIONS:**

1. For the purpose of ensuring that the vendor is following all required health regulations to ensure that the consumer does not become ill, to ensure that the business is not a nuisance by hindering vehicles or pedestrian traffic and/or causing a hazard in any way, and/or having a negative aesthetic impact on the municipality, and to protect the consumer who is purchasing the products being sold.

**C. REQUIREMENTS AND CONDITIONS OF LICENCE:**

1. Every person who operates the business of going from place to place, or to a particular place with goods, wares or merchandise for sale, or who carries and displays samples, patterns or specimens of any goods, wares or merchandise that are to be delivered within the limits of the Town afterwards shall be deemed to be a hawker or peddler, and a hawker or peddler includes inter alia a salesperson or sales representative who attends any gathering at any place for the purpose of displaying, selling or taking orders for future delivery of said goods, wares or merchandise.
2. No person who is a hawker or peddler shall go from place to place or to a particular place within the Town without first obtaining a licence to do so.
3. Every person licensed under this Schedule shall be exempt from operating out of a permanent building.
4. Notwithstanding the above Section, the inside storage of goods shall be permitted on a property within the Town, however, the external storage of goods is strictly prohibited.
5. This Schedule does not apply to or include a person who hawks, peddles or sells goods, wares or merchandise:
  - a. to wholesale or retail dealers in similar goods, wares or merchandise;
  - b. to the public which are grown or produced by a farmer resident in Ontario who offers for sale or sells only the produce of his own farm.
6. No person shall engage in or carry on his business by passing from house to house within the Town before sunrise 9:00 a.m. any day or after 9:00 p.m. any day.

7. In the event of a prosecution under this Schedule against any hawker or peddler, the onus of proving that he does not for any of the reasons listed in this Schedule require to be licensed is upon the person charged.
8. The licensee shall at all times, while carrying on his business, have his licence with him and shall, upon demand, exhibit it to any Officer.
  - a. Where a licensee offers products for sale from a stationary location, the licensee shall post a copy of a valid business licence at the location that is clearly visible to customers and the public alike.
  - b. Where a licensee solicits businesses door-to-door, the licensee shall first produce a copy of the business licence during the initial introduction to the home owner or occupant, prior to offering any goods or products for sale.
9. This Schedule does not apply to charitable organizations, approved by Council, conducting tag days or selling items for the purpose of raising funds for a charitable organization.
10. A licence issued under this By-law to any person, firm or corporation shall not permit more than one person to go from house to house or along highways for the purpose of buying, selling or trading.
  - a. The licensee shall obtain a valid general liability insurance policy in the amount of two million (\$2,000,000) dollars, which shall accompany the application for the business license.
  - b. The licensee shall maintain, in force, a valid insurance policy required in Section 10.1 above, while being the holder of the valid business licence for the Town of Wasaga Beach.
  - c. Where such liability insurance policy is cancelled or otherwise invalidated, the licensee agrees to immediately send written notice by Registered Mail to the Town's Business Licensing Office.
11. The sale of food by a person not being the grower, producer or agent or employee of the grower or producer of same from a basket, wagon, cart, stand or other vehicle upon any highway or street within the limits of the Town or in any public park or place within the limits of the Town is prohibited. Permission from the private property owner upon which the hawker/peddler intends to situate shall be filed with the Business Licensing Officer at the application stage.
12. The licensee agrees they will not apply and hold more than two (2), 30-day Hawker and Peddler licences within any calendar year.

**Schedule "A22"**  
**HOME OCCUPATION**

**A. DEFINITIONS:**

1. "Home Occupation" means a use that is conducted for gain or profit and which is clearly incidental, accessory or secondary to the residential use of a dwelling.

**B. REASONS FOR REQUIRING LICENCE AND/OR IMPOSING CONDITIONS:**

1. For the purpose of ensuring that the business is not a nuisance to the surrounding properties and neighbourhood.

**C. REQUIREMENTS AND CONDITIONS OF LICENCE:**

1. No person shall operate or maintain the business of a home occupation within the Town without first obtaining a licence to do so.
2. Prior to a business licence being issued by the Business Licensing Officer, the applicant must obtain the approvals listed below:
  - a. Zoning Department.
3. A licence for a home occupation shall not be issued by the Business Licensing Officer unless the following restrictions have been adhered to:
  - a. The home occupation shall be clearly secondary to the existing dwelling unit and shall not change the residential character of the property.
  - b. Not more than a total three (3) persons shall be involved in the home occupation of which no more than one (1) person shall be a non-resident of the dwelling.
  - c. No floor area devoted to the home occupation, including the storing of materials and finished products, shall exceed more than 15% of the gross floor area of the dwelling, shall be confined to the main dwelling on the lot, and shall not be in any attached or detached garage or accessory building.
  - d. No retail sales may take place on the property or premises of the home occupation; however, catalogue, mail order or telemarketing sales, as ordered by the customers of a local representative, would be permitted (similar to Avon, Tupperware and Amway).
  - e. No inventory may be maintained in the dwelling unit for point of purchase sales.
  - f. The home occupation may permit the practice and teaching of arts, crafts, music and academic subjects and may permit a trade or business provided that service is conducted off site. Servicing or repair of motor vehicles, small engines, appliances or other power equipment shall not be permitted on site.
  - g. Teaching must be limited to three (3) students being taught at any one time.

4. The home occupation shall not include the following:
  - a. a barber shop or beauty salon;
  - b. a medical office;
  - c. a restaurant or establishment offering accommodation or meals, excluding a licensed bed & breakfast establishment;
  - d. veterinary services or a kennel or a pet grooming service;
  - e. an adult entertainment establishment;
  - f. the sale or repair of any appliance, equipment, engines or any service involving motor vehicles;
  - g. the sharpening of blades;
  - h. the collection, storage and/or sale of scrap for parts.
5. The home occupation involving clients must provide sufficient room for vehicular parking on the surfaced driveway of the property containing the home occupation and no parking shall be permitted on any public road.
6. There shall be no parking or storage of vehicles in the front yard or exterior side yard other than on a surfaced driveway.
7. The home occupation shall not create or become a public nuisance, in particular in regard to traffic, parking, noise, vibration, fumes, odour, dust, glare or radiation, which is apparent or audible from adjacent properties.
8. The home occupation shall not interfere with television, radio reception or electrical service.
9. There shall be no external storage of goods or materials and the home occupation shall not involve hazardous or toxic chemicals.
10. There shall be no delivery of merchandise to the home occupation, other than by a passenger motor vehicle or by parcel or letter carrier mail service using vehicles typically employed in residential deliveries.
11. There shall be no external display of advertising to indicate to persons outside that any part of the dwelling unit is being used for a purpose other than residential.

**Schedule "A23"**  
**KENNEL**

**A. DEFINITIONS:**

1. "Kennel" means any building, structure, or part thereof used for the keeping of three or more dogs for breeding purposes and/or any number of dogs for boarding or any other normally associated or related function.

**B. REASONS FOR REQUIRING LICENCE AND/OR IMPOSING CONDITIONS:**

1. For the purpose of ensuring that the business is not a nuisance to the surrounding properties and neighbourhood and to ensure that the animals are kept in a clean and well maintained environment.

**C. REQUIREMENTS AND CONDITIONS OF LICENCE:**

1. No person shall operate or maintain the business of a kennel within the Town without first obtaining a licence to do so.
2. Prior to a business licence being issued by the Business Licensing Officer, the applicant must obtain the approvals listed below:
  - a. Zoning Department;
  - b. Fire Department;
  - c. Building Department;
  - d. Property Standards Office.
3. No person shall keep more than two dogs over three months of age at one location unless a kennel licence is obtained.
4. The kennel shall be in a separate building and shall not be attached to a building which is or may be used for human habitation.
5. A kennel shall be maintained in such a manner as to be free from damage.
6. Every person shall, upon application to operate or maintain a kennel, provide and maintain a current Certificate of Registration with the Canadian Kennel Club, signed by the keeper of the register, or a certified extract from such register showing that all dogs kept within such kennel are so registered.
7. Every person who owns or operates a kennel shall ensure the kennel facility has:
  - a. a floor of concrete or other impermeable material;
  - b. a drain opening constructed as a plumbing fixture;
  - c. electric lighting;
  - d. windows that may be opened for proper ventilation;
  - e. a heating system sufficient to adequately heat the building;
  - f. hot and cold running water; and
  - g. a food preparation area.

8. Every person who owns or operates a kennel shall:
  - a. maintain the kennel in a sanitary, well ventilated, clean condition and free from offensive odours;
  - b. clean the floor area daily, or more frequently if required;
  - c. keep the dogs in a sanitary, well bedded, well ventilated, naturally lighted, clean quarters at an appropriate temperature;
  - d. adequately feed and give water to the dogs periodically each day and keep them in a clean, healthy condition free from vermin and disease.
9. Where dogs are permitted to use an outside area, there shall be constructed around such area a solid board fence having a height of at least six (6) feet; the wall of an adjacent building may be included as part of the fenced in area.

**Schedule "A24"**  
**LAUNDROMAT/LAUNDRY**

**A. DEFINITIONS:**

1. "Laundromat" means any location or premise where dry cleaning machines, drying machines, washing machines, including coin operated dry cleaning machines, drying machines or washing machines or any combination thereof are operated for use by the public.
2. "Laundry" means a premise or location where the washing, drying, etc. of articles or goods is done.

**B. REASONS FOR REQUIRING LICENCE AND/OR IMPOSING CONDITIONS:**

1. For the purpose of consumer protection and to ensure that the business does not create a nuisance to the health and safety of the public.

**C. REQUIREMENTS AND CONDITIONS OF LICENCE:**

1. No person shall operate or maintain the business of a Laundromat within the Town without first obtaining a licence to do so.
2. Prior to a business licence being issued by the Business Licensing Officer, the applicant must obtain the approvals listed below:
  - a. Zoning Department;
  - b. Fire Department;
  - c. Building Department;
  - d. Property Standards Office.
3. Every licensee hereunder shall keep his premise and appurtenances or equipment thereto in a clean and sanitary condition, as well as any wagons, carts and other vehicles used in the collecting or delivering of laundry work.
4. The licensee shall ensure that all refuse containers are of a non-flammable material or as approved by the Fire Chief or his designate.
5. The licensee shall ensure that a sign legibly printed, stating the name, address and telephone number of the person responsible for the operation of the premise is posted in a conspicuous place in every premise or location where coin operated laundry machines are kept for the use of the general public.
6. The licensee shall ensure that no room in the licensed premises is being used as living, eating, food preparation, bathing or sleeping quarters.

**Schedule "A25"**  
**LIMOUSINE**

**A. DEFINITIONS:**

1. "Limousine" means a motor vehicle which may or may not bear identification other than the number plate issued by the Ministry of Transportation for the Province of Ontario, which does not have a taximeter and which is kept or used for hire for the conveyance of passengers.

**B. REASONS FOR REQUIRING LICENCE AND/OR IMPOSING CONDITIONS:**

1. For the purpose of consumer protection to ensure that the services are being provided by individuals with acceptable backgrounds, and to ensure that the business does not create a nuisance to the health and safety of the public.

**C. REQUIREMENTS AND CONDITIONS OF LICENCE:**

1. No person shall operate or maintain any vehicle as a limousine with the Town without first obtaining a licence to do so.
2. At the time of application or renewal, the applicant shall provide to the Business Licensing Officer the following:
  - a. a copy of the ownership certificate for each vehicle to be licensed as a limousine;
  - b. submit each limousine for a vehicle inspection bi-annually when specified, and at any other time, as required by the Officer for a vehicle inspection;
  - c. file bi-annually with the Business Licensing Officer when specified, a valid and current Safety Standards Certificate for each limousine owned by him and intended to be used as a limousine in accordance with the provisions of the Highway Traffic Act, R.S.O. 1990, c.H.8;
  - d. a Certificate of Liability Insurance, certifying the owner of each limousine for which a limousine vehicle licence is being applied for, is insured against bodily injury, public liability and property damage claims, in the minimum amount of
  - e. \$2,000,000 inclusive for any one occurrence. Said policy shall be endorsed to provide that the policy will not be altered, cancelled or allowed to lapse without thirty (30) days prior written notice to the Town;
  - f. Notwithstanding Section 2.d., if, for any reason, the insurance policy above is cancelled, or for any other reason does not remain in effect, the business licence issued under this Schedule shall become null and void on the final date for which the insurance was valid.
3. No person shall drive any limousine without first being licensed as a limousine driver under the provisions of this By-law.
4. Every owner or driver of a limousine shall maintain the interior and exterior in good repair and keep the limousine in a clean and sanitary condition at all times, and without limiting or restricting the generality of this Section, good repairs includes:

- a. equipped with an extra tire, wheel and jack ready for use;
  - b. free from mechanical defects;
  - c. equipped with an interior light in proper working order;
  - d. free from exterior body damage with a well maintained exterior paint finish;
  - e. equipped with all original components such as hub caps, moldings, etc.
5. If any owner or driver of any limousine receives notice, either verbally or in writing, that such limousine is not in a fit or proper condition for use, such owner or driver shall, forthwith, cause same to be in a fit and proper condition.
  6. No owner or driver shall fail to ensure that a limousine licensed under this Schedule is only used as a limousine and is not used as a taxicab unless otherwise licensed under the provisions of this By-law.
  7. No person shall operate any vehicle as a limousine unless such vehicle is equipped with more than two passenger access doors.
  8. Where a person holds a valid Town of Wasaga Beach business licence under this Schedule for the current year, this person must certify in writing when that limousine licensed under this Schedule has been removed from service.

**Schedule "A26"**  
**LIMOUSINE COMPANY**

**A. DEFINITIONS:**

1. "Limousine Company" means a person who owns a limousine or has possession or control thereof under an installment purchase agreement or by way of a rental, which is licensed as such or required to be licensed as such under this By-law, and "Limousine Owner" shall have a corresponding meaning.

**B. REASONS FOR REQUIRING LICENCE AND/OR IMPOSING CONDITIONS:**

1. For the purpose of consumer protection to ensure that the services are being provided by individuals with acceptable backgrounds, and to ensure that the business does not create a nuisance to the health and safety of the public.

**C. REQUIREMENTS AND CONDITIONS OF LICENCE:**

1. No person shall operate or provide services as a limousine company within the Town without first obtaining a licence to do so.
2. Prior to a business licence being issued by the Business Licensing Officer, the applicant must obtain the approvals listed below:
  - a. Zoning Department;
  - b. Fire Department;
  - c. Building Department;
  - d. Property Standards.
3. Every corporate applicant shall file a copy of the incorporating documents, along with any amending documents and the most recent annual filing, if any.
  - a. At the time of application, the applicant shall provide to the Business Licensing Officer a Certificate of Liability Insurance, certifying the owner of each limousine for which a limousine vehicle licence is being applied for, is insured against bodily injury, public liability and property damage claims, in the minimum amount of \$2,000,000 inclusive for any one occurrence. Said policy shall be endorsed to provide that the policy will not be altered, cancelled or allowed to lapse without thirty (30) days prior written notice to the Town.
  - b. Notwithstanding Section 3.a., if, for any reason, the insurance policy above is cancelled, or for any other reason does not remain in effect, the business licence issued under this Schedule shall become null and void on the final date for which the insurance was valid.
4. An applicant's record of past conduct shall be such that it would not be contrary to the public interest for a licence to be granted or renewed.
5. The past conduct of the applicant or licensee shall not afford reasonable grounds for the belief that the applicant or licensee will not carry on the activity for which he is to be licensed or continue to be licensed in accordance with the law.

6. No owner shall fail to advise the Business Licensing Officer in writing and within thirty (30) days of any change in any licence plate issued by the Ministry of Transportation.
7. No owner or driver shall permit any person to drive a limousine unless such driver is licensed under the provisions of this By-law.
8. No owner or driver shall permit any limousine to be used for hire unless such limousine is licensed under the provisions of this by-law.
9. No owner or driver shall fail to keep an orderly record of all calls answered by limousines owned by him showing the date, time, origin, destination, amount of fare collected for each trip, limousine vehicle licence number, and the name of the driver. The records shall be retained for a period of twelve (12) months from the date of entry, and shall be open for inspection by any Officer at any reasonable time, and may be removed and/or retained for any reasonable period of time.
10. The licensee shall ensure that all persons employed as a limousine driver are properly licensed under the provisions of this By-law.
11. No owner shall fail to ensure that the telephone or radio dispatching equipment supplied is maintained in a proper working condition.
12. The licensee shall ensure that any limousine operated is driven for the transportation exclusively of one person or group of persons in the same party, and that only one fare or charge is collected for each specified trip.
13. No person licensed under this Schedule shall act as a taxicab company unless licensed to do so under the provisions of this by-law.
14. Every licensee who drives a limousine of which he is not the owner shall, once in each calendar day that he has driven, deliver to the owner of the limousine the trip record for that day and produce the trip records upon the request of any officer.

**Schedule "A27"**  
**LIMOUSINE DRIVER**

**A. DEFINITIONS:**

1. "Limousine Driver" means the person responsible for the care and operation of the limousine and services related thereto.

**B. REASONS FOR REQUIRING LICENCE AND/OR IMPOSING CONDITIONS:**

1. For the purpose of consumer protection to ensure that the services are being provided by individuals with acceptable backgrounds, and to ensure that the business does not create a nuisance to the health and safety of the public.

**C. REQUIREMENTS AND CONDITIONS OF LICENCE:**

1. No person shall operate or drive as a limousine driver within the Town without first obtaining a licence to do so.
2. At the time of application or renewal, the applicant shall provide the following to the Business Licensing Officer:
  - a. two pieces of identification, one of which shall be photographic identification detailing the applicant's birth date, legal name and current residential address;
  - b. proof of a current and valid driver's licence of the appropriate class issued pursuant to the Highway Traffic Act, R.S.O. 1990, c.H.8 as amended and the regulations thereunder, other than a Class G1 or Class G2 driver's licence;
  - c. a Canadian Police Information Centre clearance letter that shall fail to reveal a record, furnished by the police agency where the applicant resides. The clearance letter shall be dated within thirty (30) days preceding the date of application;
  - d. a signed certificate confirming that there are currently no outstanding criminal charges or warrants pending before any courts;
  - e. a three year Driver Record Search issued by the Ministry of Transportation, Safety and Regulations Division, dated within thirty (30) days preceding the date of application. This search shall fail to reveal any convictions or found guilty of driving under suspension, speeding over 50 km above the limit, careless driving, racing on a highway, leaving the scene of an accident, flight from police or any Criminal Code offence committed by means of a motor vehicle or while driving or having care of a motor vehicle;
  - f. two (2) colour photographs of the applicant, 2" x 2 ½" in size.
3. An applicant's record of past conduct shall be such that it would not be contrary to the public interest for a licence to be granted or renewed.
4. The past conduct of the applicant or licensee shall not afford reasonable grounds for the belief that the applicant or licensee will not carry on the activity for which he is to be licensed or continue to be licensed in accordance with the law.

5. No person shall provide any services as a limousine driver for any limousine company which is not licensed under the provisions of this Schedule.
6. No person shall drive any vehicle operated as a limousine unless such vehicle is licensed as a limousine under the provisions of this By-law.
7. A separate limousine driver's licence is required for each limousine company for whom the driver is employed.
8. Every limousine driver shall be familiar with the provisions of this By-law, the laws and regulations relating to traffic, the geography of the Town of Wasaga Beach, and be fluent in the English language.
9. No owner or driver shall fail to keep an orderly record of all calls answered by limousine showing the date, time, origin, destination, amount of fare collected for each trip, limousine vehicle licence number and the name of the driver. The records shall be retained for a period of twelve (12) months from the date of entry and shall be open for inspection by any Officer at any reasonable time and may be removed and retained for any reasonable period of time.
10. Every licensee who drives a limousine of which he is not the owner shall, once in each calendar day that he has driven, deliver to the owner of the limousine the trip record for that day and produce the trip records upon the request of any Officer.
11. No limousine driver shall fail to place the limousine driver's photographic identification card, as issued by the Business Licensing Officer, in such a manner in the limousine as to be conveniently seen and read by passengers.
12. No driver shall fail to notify the Business Licensing Officer in writing of any change of address within forty-eight (48) hours.
13. The licensee shall ensure that any limousine operated is driven for the transportation exclusively of one person or group of persons in the same party, and that only one fare or charge is collected for each specified trip.
14. While in charge of a limousine for hire, no driver shall fail to, upon request of any passenger, give in writing the driver's name and the limousine company name, address and telephone number.
15. No owner or driver shall fail to give a passenger a receipt when requested or whenever there is dispute over the fare or charge which shall also contain the information noted in Section 14 above.
16. No driver shall fail to travel by the most direct route to the point of destination unless otherwise directed by the person engaging the limousine.
17. No driver shall fail to be neat and clean in his person and appearance.
18. While in charge of a limousine for hire, no limousine driver shall solicit any person to take or use the limousine being driven by calling out or shouting. The person wishing to use or engage a limousine shall be left to choose without interception or solicitation.

19. While in charge of a limousine for hire, no limousine driver shall carry a greater number of persons than the limousine is intended to seat according to the manufacturer's rating of seating capacity or than specified in the licence issued under this By-law.
20. While in charge of a limousine for hire, no limousine driver shall allow any immoral, indecent, disorderly or illegal conduct in the limousine.

**Schedule "A28"**  
**LIVERY STABLES, HORSES USED FOR HIRE OR RIDING SCHOOL**

**A. DEFINITIONS:**

1. "Livery Stables, Horses used for Hire or Riding School" means a premise where horses are kept that are let out on hire for riding or used to provide riding instruction for payment or both.

**B. REASONS FOR REQUIRING LICENCE AND/OR IMPOSING CONDITIONS:**

1. For the purpose of protecting the health and safety of the customers and the animals, to ensure that the animals are kept in a clean and well maintained environment and to ensure that the business is not a nuisance to the surrounding properties and neighbourhood.

**C. REQUIREMENTS AND CONDITIONS OF LICENCE:**

1. No person shall operate or maintain the business of a livery stable, horses used for hire or riding school within the Town without first obtaining a licence to do so.
2. Prior to a business licence being issued by the Business Licensing Officer, the applicant must obtain the approvals listed below:
  - a. Zoning Department;
  - b. Fire Department;
  - c. Building Department;
  - d. Property Standards Office.
3. Any licence issued to the owner/operator of a livery stable, horses used for hire or a riding stable may be cancelled and revoked upon receipt from the Ontario Society for the Prevention of to Animals (OSPCA) of any unfavourable report concerning the premises on which the business is located or the condition and treatment of any horse(s).
4. No licence shall be issued to any person who operates an animal ride commonly referred to as a pony carousel, where ponies, horses or other animals are tethered or leashed to a carousel for the purpose of giving rides to any person, and where such animals are required to walk or run in a continual circle or loop, whether or not a rider is aboard said animal.
5. No person shall be granted a licence hereunder until the necessary inspections have been carried out by the Chief Building Official or his designate to confirm that the applicant's stable or place of business conforms with the following:
  - a. screens over all windows;
  - b. paved or hard-surfaced floor, kept clean with proper drainage and in a sanitary and satisfactory condition;
  - c. well ventilated, free from offensive odours and sprayed to eliminate flies, bugs, etc.

6. Every person licensed under this Schedule shall:
  - a. procure liability insurance for each place or premise for which he holds a licence in the amount of \$2,000,000 inclusive for any one occurrence, said policy to be endorsed to provide that the policy will not be altered, cancelled or allowed to lapse without thirty (30) days prior written notice to the Town;
  - b. procure liability insurance for each place or premise for which he holds a licence for bodily injury and property damage caused by owned and non-owned vehicles in the amount of \$2,000,000 inclusive for any one occurrence. A "vehicle" shall be defined in the Highway Traffic Act;
  - c. ensure that a certified copy of the insurance policy or a certificate issued in regard thereto is deposited with the Business Licensing Office;
  - d. Notwithstanding Section 6.a. and b., if, for any reason, the insurance policy is cancelled, or for any other reason does not remain in effect, the licence issued by the Business Licensing Officer shall become null and void on the final date for which the insurance was valid.
7. Every person licensed under this Schedule shall be responsible for the orderly conduct of all patrons at all times when on the premises and shall not permit the consumption of alcoholic beverages, betting or any other form of gambling.

**Schedule "A29"**  
**MENAGERIE/ZOO**

**A. DEFINITIONS:**

1. "Menagerie" and/or "Zoo" means a business or premise exhibiting a collection of animals in cages or enclosures.

**B. REASONS FOR REQUIRING LICENCE AND/OR IMPOSING CONDITIONS:**

1. For the purpose of protecting the health and safety of the customers and to ensure that the animals are kept in a clean and well maintained environment and to ensure that the business is not a nuisance to the surrounding properties and neighbourhood.

**C. REQUIREMENTS AND CONDITIONS OF LICENCE:**

1. No person shall operate or maintain the business of a menagerie or zoo within the Town without first having obtained a licence to do so.
2. Prior to a business licence being issued by the Business Licensing Officer, the applicant must obtain the approvals listed below:
  - a. Zoning Department;
  - b. Fire Department;
  - c. Building Department;
  - d. Property Standards Office.
3. At the time of application, the applicant shall provide to the Business Licensing Officer a current list of all animals, which are kept in the menagerie, or zoo and said list shall be maintained at all times.
4. At the time of application, the applicant shall provide to the Business Licensing Officer or his designate, the name and address of the person having control and charge of the menagerie or zoo.
5. Every person shall maintain and keep all animals within the menagerie or zoo in a clean, well bedded and healthy manner and shall ensure that the animals are treated in a humane manner at all times.
6. Every person shall ensure that all animals kept within a menagerie or zoo are kept in a secure manner so as not to endanger or impose risk to any person, whether a visitor or otherwise.
7. The licensee shall post any admission price in a conspicuous and prominent location outside the entrance to the menagerie or zoo.
8. The licensee shall post any cautions or warnings regarding any animals kept in the menagerie or zoo in a conspicuous and prominent location outside the entrance to the premise.

9. Insurance:

- a. Every person to whom this Schedule relates shall, for each place or premises for which he holds a licence, procure liability insurance in the amount of \$2,000,000 inclusive for any one occurrence, said policy to be endorsed to provide that the policy will not be altered, cancelled or allowed to lapse without thirty (30) days prior written notice to the Town;
  - b. Every person to whom this Schedule relates shall, for each place or premises, for which he holds a licence, procure liability insurance for bodily injury and property damage caused by owned and non-owned vehicles in the amount of \$2,000,000 inclusive for any one occurrence. A "vehicle" shall be defined in the Highway Traffic Act;
  - c. A certified copy of the insurance policy or a certificate issued in regard thereto shall be deposited with the Business Licensing Officer or designate;
  - d. Notwithstanding Section 9.a. and b., if, for any reason the insurance policy is cancelled, or for any other reason does not remain in effect, the licence issued by the Business Licensing Officer shall become void on the final date for which the insurance was valid.
10. Any licence issued to the owner/operator of a menagerie or zoo may be cancelled and revoked upon receipt of an unfavourable report from the Ontario Society for the Prevention of Cruelty to Animals (OSPCA) concerning the premises on which the business is located or the condition and treatment of any animal kept in said menagerie or zoo.
11. The licensee shall ensure that garbage and waste are removed from the premises as often as is necessary to maintain the premise in a sanitary condition.

**Schedule "A30"**  
**MOTOR VEHICLE SERVICE STATION**

**A. DEFINITIONS:**

1. "Motor Vehicle" means a vehicle as defined by the Highway Traffic Act, R.S.O. 1990, c.H 8, trailer, traction engine, farm tractor, road building machine, bicycle and any vehicle drawn, propelled or driven by any kind of power, including muscular power, but does not include a motorized snow vehicle, all terrain vehicle or streetcar.
2. "Motor Vehicle Body Repair Shop" means a premise where maintenance or restoration is done to the exterior of a motor vehicle to return it to a good condition, and shall include but is not limited to the replacement or restoration of worn out parts or the restoration of such parts, but does not include the replacement, repair or restoration of any mechanical part of the motor vehicle. Such operation shall include but is not limited to painting, repainting, body filling, or refinishing of a motor vehicle.
3. "Service Station" means a premise where maintenance is done to a motor vehicle and shall include but is not limited to the replacement, repair or restoration of any mechanical part of the motor vehicle.

**B. REASONS FOR REQUIRING LICENCE AND/OR IMPOSING CONDITIONS:**

1. For the purpose of protecting the health and safety of the patrons, consumer protection to ensure that the work performed is up to industry standards, and to ensure that the business is not a nuisance to the surrounding properties and neighbourhood.

**C. REQUIREMENTS AND CONDITIONS OF LICENCE:**

1. No person shall operate or maintain the business, trade or occupation of a motor vehicle service station within the Town without first obtaining a licence to do so.
2. Prior to a business licence being issued by the Business Licensing Officer, the applicant must obtain the approvals listed below:
  - a. Zoning Department;
  - b. Fire Department;
  - c. Building Department;
  - d. Property Standards Office.
3. No person owning, operating or keeping a motor vehicle service station shall:
  - a. store, park or allow to be stored or parked on the premises for which a licence has been issued for a period longer than forty-eight (48) hours, any trailer and/or motor home used for human habitation while so stored or parked;
  - b. permit the premises to be used for the wrecking or storage of wrecked vehicles;
  - c. permit the parking or storage of any motor vehicle on any highway, road, boulevard or town property upon which the licensed premises abuts;

- d. permit the engine of a motor vehicle in any building to run while stationary, whether on a frame or in a motor vehicle, unless adequate ventilation is provided to ensure dilution of any carbon monoxide fumes;
  - e. remove or cause to be removed any snow from the licensed premises to any public sidewalk or roadway upon which such premises abuts;
  - f. where practical, cause the drainage of surface water to cross any sidewalk upon which the licensed premises abuts.
  - g. rent/lease and/or sell vehicles unless valid licences to do so have been issued in accordance with this by-law.
4. No licence shall be issued to the operator of a motor vehicle station in respect of a building for which no licence was issued in the previous year, unless the applicant satisfies the Business Licensing Officer that the Ministry of Labour has approved the plans for providing adequate ventilation facilities in that part of the building where motor vehicles may be stored or repaired.
5. Every person owning, operating or keeping a motor vehicle service station shall:
- a. keep the licensed premises free from rubbish and in a clean and neat condition;
  - b. keep any sidewalk or street upon which such premise abuts free from any dirt or other foreign substance derived from such premise or resulting from use thereof.

**Schedule "A31"**  
**MOTOR VEHICLE LEASING/RENTAL**

**A. DEFINITIONS:**

1. "Motor Vehicle" means a vehicle as defined by the Highway Traffic Act, R.S.O. 1990, c.H 8, trailer, traction engine, farm tractor, road-building machine, bicycle and any vehicle drawn, propelled or driven by any kind of power, including muscular power, but does not include a motorized snow vehicle, all terrain vehicle or streetcar.
2. "Motor Vehicle Leasing/Rental" means a person who leases or offers to lease, rents or offers to rent, or for any remuneration, grants the temporary use of a motor vehicle to any individual, firm or corporation, notwithstanding that the leasing or rental company shall retain the registered ownership of such motor vehicle.

**B. REASONS FOR REQUIRING LICENCE AND/OR IMPOSING CONDITIONS:**

1. For the purpose of consumer protection to ensure that, the service provided is up to industry standards.

**C. REQUIREMENTS AND CONDITIONS OF LICENCE:**

1. No person shall operate or maintain the business, trade or occupation of a motor vehicle leasing/rental operation within the Town without first obtaining a licence to do so.
2. Prior to a business licence being issued by the Business Licensing Officer, the applicant must obtain the approvals listed below:
  - a. Zoning Department;
  - b. Fire Department;
  - c. Building Department;
  - d. Property Standards Office.
3. The applicant shall provide to the Business Licensing Officer a valid Motor Vehicle Dealers Certificate issued by the Ministry of Transportation at the time of application.
4. The licensee shall ensure that the make, model, vehicle identification number and licence plate number is recorded for each automobile leased and/or rented.
5. The licensee shall ensure that any person leasing or renting any motor vehicle provides to the licensee, prior to removing any automobile from the premises, identification indicating his legal name, current address and valid Ontario Driver's Licence number.
6. No person shall lease or rent any motor vehicle, which has not been inspected and certified by a qualified mechanic, unless such vehicle is less than one year old.
7. The licensee shall, at the request of the Business Licensing Officer or any Municipal Law Enforcement Officer, submit any motor vehicle available for lease or rent to a qualified mechanic for inspection and certification and produce such proof of inspection and certification to the Business Licensing Officer or his designate.

8. No person shall rent or lease any motor vehicle or permit any motor vehicle to leave the premises of the licensee unless such motor vehicle is duly insured with liability insurance of no less than \$2,000,000.00.
9. No person shall:
  - a. permit the licensed premises to be used for the wrecking or storage of wrecked vehicles unless licensed to do so under the provisions of this by-law;
  - b. park or store any motor vehicle on any sidewalk, boulevard, highway or road;
  - c. permit the engine of any motor vehicle to run in any building whether on a frame or in a motor vehicle, unless adequate ventilation is provided to ensure dilution of carbon monoxide fumes;
  - d. remove or cause to be removed any snow from the premises to any public sidewalk, street or roadway.
  - e. sell and/or service vehicles unless valid licences to do so have been issued in accordance with this by-law
10. Every person shall keep the premises free from rubbish and in a clean and neat condition and shall keep any sidewalk or street upon which the premises abuts free from any dirt or other foreign substance derived from or resulting from the use thereof.

**Schedule "A32"**  
**MOTOR VEHICLE SALES**

**A. DEFINITIONS:**

1. "Motor Vehicle" means a vehicle as defined by the Highway Traffic Act, R.S.O. 1990, c.H 8, trailer, traction engine, farm tractor, road building machine, bicycle and any vehicle drawn, propelled or driven by any kind of power, including muscular power, but does not include a motorized snow vehicle, all terrain vehicle or streetcar.
2. "Automobile Sales" means a person who sells or offers for sale any motor vehicle by retail where such sale will result in the transfer of ownership from the licensee or a consignment partner to any other individual, firm or corporation.

**B. REASONS FOR REQUIRING LICENCE AND/OR IMPOSING CONDITIONS:**

1. For the purposes of consumer protection to ensure that the service provided is up to industry standards.

**C. REQUIREMENTS AND CONDITIONS OF LICENCE:**

1. No person shall operate or maintain the business, trade or occupation of motor vehicle sales within the Town without first obtaining a licence to do so.
2. Prior to a business licence being issued by the Business Licensing Officer, the applicant must obtain the approvals listed below:
  - a. Zoning Department;
  - b. Fire Department;
  - c. Building Department;
  - d. Property Standards Office.
3. The applicant shall provide a valid Motor Vehicle Dealers Certificate issued by the Ministry of Transportation to the Business Licensing Officer.
4. A separate licence shall be required in respect of each premises used by any person from which the retail sale of vehicles shall be conducted.
5. No person shall:
  - a. permit the licensed premises to be used for the wrecking or storage of wrecked vehicles, unless licensed to do so under the provisions of this By-law;
  - b. park or store any motor vehicle on any sidewalk, boulevard, highway or road;
  - c. permit the engine of any motor vehicle to run in any building, whether on a frame or in a motor vehicle, unless adequate ventilation is provided to ensure dilution of carbon monoxide fumes;
  - d. remove or cause to be removed any snow from the premises to any public sidewalk, street or roadway;

e. rent/lease and/or service vehicles unless valid licences to do so have been issued in accordance with this by-law

6. Every person shall:

a. keep the premises free from rubbish and in a clean and neat condition;

b. keep any sidewalk or street upon which the premises abuts free from any dirt or other foreign substance derived from or resulting from the use thereof.

**Schedule "A33"**  
**PARKING LOT**

**A. DEFINITIONS:**

1. "Parking Lot" means a business or premise where vehicles may be parked or stored for a fee or other valuable consideration, but shall not include land or other premises where a merchant provides space for customers' vehicles, land or other premises where an employer provides parking spaces for employees' vehicles, land or other premises where a landlord provides parking spaces for tenants' vehicles, or land or other premises where a parking lot is operated for special events only.

**B. REASONS FOR REQUIRING LICENCE AND/OR IMPOSING CONDITIONS:**

1. For the purposes of consumer protection to ensure that the service provided is up to industry standards.

**C. REQUIREMENTS AND CONDITIONS OF LICENCE:**

1. No person shall operate or maintain a premise or location as a parking lot within the Town without first having obtained a licence to do so.
2. Prior to a business licence being issued by the Business Licensing Officer, the applicant must obtain the approvals listed below:
  - a. Zoning Department;
  - b. Fire Department;
  - c. Building Department;
  - d. Property Standards Office.
3. At the time of making application, the applicant shall include with the application a statement setting out:
  - a. the location and dimensions of the lands in respect to such licence;
  - b. the maximum number of motor vehicles proposed to be parked or stored at or upon such premises at any one time;
  - c. the hours during which such premises shall be open for business;
  - d. the location and dimensions of each proposed entrance to and exit from such premises;
  - e. the rates or charges for parking motor vehicles.
4. Each person licensed to operate a parking lot shall:
  - a. if engaged in driving, operating or moving motor vehicles parked on the licensed premises, be the holder of a valid Province of Ontario Motor Vehicle Operator's Licence (excluding G1 and G2 licence categories), and shall not employ or permit any person or employee to drive or operate such motor vehicles unless such person is licensed in accordance with this section.

- b. display in a conspicuous place at or upon the licensed premises, a sign bearing in readily legible letters, the rates or charges for parking motor vehicles, the hours during which the premises are open for business, the business name and address of the owner, and the name, address and telephone number of an authorized contact person;
  - c. keep the licensed premises free from rubbish and in a clean and neat condition, and keep the sidewalk or street upon which such premises abuts free from dirt or any other foreign substance derived from the operation thereof;
5. Every person shall, at the time of receiving each motor vehicle for the purpose of parking same at or upon the licensed premises, give or cause to be given to the person from whom the motor vehicle is received, a numbered receipt bearing on the same side the following:
  - a. a clear statement of the extent of the responsibility accepted by the licensee in respect to loss of or damage to such motor vehicle and the contents thereof while parked in the care and custody of the licensee and any of his employees;
  - b. the licensee's business name, location of the licensed premises and the business hours as specified in the signs referred to above.
6. No owner or operator of an enclosed parking lot shall permit the engine of a motor vehicle to run while stationary, unless adequate ventilation is provided to ensure dilution of any carbon monoxide fumes.
7. No person licensed under this Schedule shall store, park or permit to be stored or parked any trailer and/or motor home being used for human habitation while so stored or parked.
8. No person licensed under this Schedule shall remove or cause to be removed any snow from the parking lot premises to any sidewalk or roadway upon which such parking lot abuts.

**Schedule "A34"**  
**PAWNBROKER/PAWN SHOP**

**A. DEFINITIONS:**

1. "Pawnbroker" means a person who carries on the business of taking by way of pawn or pledge any article for the repayment of money lent thereon.
2. "Pawn Shop" means a business or premise where the business of a pawnbroker is carried out.

**B. REASONS FOR REQUIRING LICENCE AND/OR IMPOSING CONDITIONS:**

1. For the purposes of consumer protection to ensure that the service provided is up to industry standards.

**C. REQUIREMENTS AND CONDITIONS OF LICENCE:**

1. No person shall operate or maintain the business of a pawnbroker or pawn shop within the Town without first obtaining a licence to do so.
2. Prior to a business licence being issued by the Business Licensing Officer, the applicant must obtain the approvals listed below:
  - a. Zoning Department;
  - b. Fire Department;
  - c. Building Department;
  - d. Property Standards Office.
3. At the time of application, the applicant shall provide to the Business Licensing Officer security in the form of a Letter of Credit or cash security deposit in the amount of \$2,000.00 for the due observance of the provisions of the Pawnbroker's Act, R.S.O. 1990. The licensee shall maintain such Letter of Credit or cash security deposit valid for the duration of the licence.
4. Every licensee shall comply at all times with all provisions of The Pawnbroker's Act, R.S.O. 1990.
5. The licensee shall maintain a record of all goods, wares, merchandise or articles purchased or otherwise acquired and shall record such information at the time of purchase or acquisition including:
  - a. a full description of the goods, wares, merchandise or articles including the make, model and serial number where applicable;
  - b. the price paid;
  - c. the name, address and description of the person from whom the purchase or acquisition was made, such description being sufficient to identify the person including approximate age, sex, weight, height, complexion and any visible identifying marks.

6. The licensee shall provide a copy of any record required to be maintained under the provisions of this By-law to the Officer upon demand and shall ensure that such records are open to inspection by an Officer at all times during business hours.
7. An officer may remove records required to be maintained under the provisions of this By-law at any time to the office of the Business Licensing Officer or to Police Headquarters or other Police satellite office for inspection or for use in the courts as necessary.

**Schedule "A35"  
PET GROOMER**

**A. DEFINITIONS:**

1. "Pet Groomer" means a person who grooms, brushes, trims, manicures or otherwise attends to the cosmetic care of animals.

**A. REASONS FOR REQUIRING LICENCE AND/OR IMPOSING CONDITIONS:**

1. For the purpose of protecting the health and safety of the customers and the animals and to ensure that the business is not a nuisance to the surrounding properties and neighbourhood.

**B. REQUIREMENTS AND CONDITIONS OF LICENCE:**

1. No person shall operate or maintain the business of a pet groomer within the Town without first obtaining a licence to do so.
2. Prior to a business licence being issued by the Business Licensing Officer, the applicant must obtain the approvals listed below:
  - a. Zoning Department;
  - b. Fire Department;
  - c. Building Department;
  - d. Property Standards Office.
3. No person shall allow any pet being accommodated in respect of the pet groomer services to be kept in any outdoor run, compound or other area.
4. Every person shall ensure that while such pet is in his possession, the pet is kept in a sanitary, well-ventilated and clean location and in a safe and healthy environment.
5. Every person shall ensure that any cage in which a pet is to be kept is appropriate for the safe harbouring of such animal and in no case shall such cage be kept at a height greater than five (5) feet from the floor level when a pet is being kept in or harboured in such cage.

**Schedule "A35-2"**  
**HOME OCCUPATION - PET GROOMER**

**A. DEFINITIONS:**

1. "Pet Groomer" means a person who grooms, brushes, trims, manicures or otherwise attends to the cosmetic care of animals.

**B. REASONS FOR REQUIRING LICENCE AND/OR IMPOSING CONDITIONS:**

1. For the purpose of protecting the health and safety of the customers and the animals and to ensure that the business is not a nuisance to the surrounding properties and neighborhood.

**C. REQUIREMENTS AND CONDITIONS OF LICENSE:**

1. No person shall operate or maintain the business of a home-based pet groomer within the Town without first obtaining a license to do so.
2. Prior to a business license being issued by the Business Licensing Officer, the applicant must obtain the approvals listed below:
  - a. Zoning Department;
  - b. Fire Department;
  - c. Building Department;
  - d. Property Standards Office.
3. No person shall allow any pet being accommodated in respect of the pet groomer services to be kept in any outdoor run, compound or other area.
4. Every person shall ensure that while such pet is in his possession, the pet is kept in a sanitary, well-ventilated and clean location and in a safe and healthy environment.
5. Every person shall ensure that any cage in which a pet is to be kept is appropriate for the safe harboring of such animal and in no case shall such cage be kept at a height greater than five (5) feet from the floor level when a pet is being kept in or harbored in such cage.
6. The licensed pet groomer shall not harbor or possess more than four (4) dogs in relation to the pet grooming business, at any one time. This does not include any dogs licensed to the owner of the business, which also resides at the premises. All dogs at the premise shall be licensed in accordance with the Town of Wasaga Beach Animal Control By-Law No. 2002-63.
7. No person shall permit the business to become a nuisance by virtue of noise, including persistent barking/howling, smells or traffic flow.
8. No person shall permit the custody, care or grooming of any customers dog(s) or non-owned dogs(s), on the business property, between 7pm of one day and 7am of the following day.
9. The entrance to the dwelling that is utilized for the business must open onto a fenced area that is capable of containing any dogs that might inadvertently escape the dwelling unit.

10. The home occupation - pet grooming - shall be clearly secondary to the existing dwelling unit and shall not change the residential character of the property.
11. Upon reasonable notice, a Municipal Law Enforcement Officer or any Peace Officer may, at anytime between the hours of 7am – 7pm, enter and inspect the area used as a pet grooming business, for compliance with this and other Municipal by-Laws. Where such inspections is required by an Officer, no person shall obstruct, hinder or delay and Officer in connection with the inspection.

**Schedule "A36"**  
**PET SHOP**

**A. DEFINITIONS:**

1. "Pet Shop" means a location or premise where animals, fish or birds for use as pets are sold or kept for sale.

**B. REASONS FOR REQUIRING LICENCE AND/OR IMPOSING CONDITIONS:**

1. For the purpose of protecting the health and safety of the customers and the animals, and to ensure that the business is not a nuisance to the surrounding properties and neighbourhood.

**C. REQUIREMENTS AND CONDITIONS OF LICENCE:**

1. No person shall operate or maintain the business of a pet shop within the Town without first obtaining a licence to do so and a separate licence shall be taken out for each pet shop.
2. Prior to a business licence being issued by the Business Licensing Officer, the applicant must obtain the approvals listed below:
  - a. Zoning Department;
  - b. Fire Department;
  - c. Building Department;
  - d. Property Standards Office;
  - e. Health Unit.
3. Every person operating the business of a pet shop shall comply with the regulations of the Health Unit and shall cause all persons employed in the business to comply with the regulations of the Health Unit as set out in the Public Health Act or under the authority of any other Statute, Regulation or By-law by the Medical Officer of Health.
4. The pet shop shall be maintained at all times in a sanitary, well-ventilated and clean condition and shall be free from offensive odours.
5. Every animal and bird shall be kept in a sanitary, well-bedded, well-lighted, clean quarters, at a temperature appropriate for the health requirements of the type of species of animal or bird housed therein.
6. Where quarters used for the housing of any animal or bird form part of or are physically attached to a building used for human habitation, or to which the public has access, such quarters shall have a concrete or other impermeable floor with a drain opening constructed as a plumbing fixture. Such floor shall be cleaned and washed a minimum of once a day, or as deemed necessary, to keep the floor clean.
7. Every cage or container used for keeping or housing any animal or bird shall:
  - a. be of adequate size to permit any such animal or bird to stand normally to its full height, to turn around and to lie down in a fully extended position;

- b. in the case of a cage or other container used to keep or house only birds, have a removable metal or other impermeable bottom which shall be cleaned daily;
  - c. each cage containing birds shall be of sufficient size and dimensions to enable all birds to have sufficient perch space to permit full extension of their wings in every direction;
  - d. in the case of all other cages or containers, have a floor of either solid or wire mesh construction, or any combination thereof, provided that all spaces in the wire mesh are smaller than the pads of the paws of any animal confined therein;
  - e. be equipped with receptacles for food and water, so mounted or situated that they cannot be easily overturned or contaminated;
  - f. ensure that all cages or containers are cleaned on a daily basis.
8. Water shall be provided daily to every animal or bird, in sufficient quantity to maintain at all times a drinkable supply available to such bird or animal.
  9. Animals and birds shall be fed periodically each day in accordance with the particular food requirements of each type or species of animal or bird.
  10. All cages, tanks, containers or other enclosures in which animals or birds are kept shall be located in such a way as to provide maximum comfort to satisfy the known and established needs for the particular species so housed, and shall be provided with safeguards to prevent extreme environmental changes and undue direct physical contact with the general public.
  11. The licensee shall ensure that all persons responsible for the care, feeding or cleaning of birds and animals are adequately instructed and supervised in the handling and care of all such birds and animals.
  12. No licensee shall:
    - a. keep or sell exotic pets as prohibited. For the purpose of this section, exotic pets shall mean any wild or exotic animals not normally confined such as cougars, lynx, panthers, tigers, lions or any type of wildcat, wolves, foxes, bears, venomous snakes, insects or reptiles, but not necessarily limited to the foregoing;
    - b. keep the stock of animals or birds in crowded quarters;
    - c. sell any diseased animal or bird.
  13. The following shall deem an animal or bird unfit for sale or release:
    - a. obvious signs of infectious disease such as distemper, hepatitis, leptospirosis rabies or other similar diseases;
    - b. obvious signs of nutritional deficiencies, including rickets or emaciation;
    - c. obvious signs of severe parasitism acute enough to influence the general health of the animal or bird;

- d. obvious fractures or congenital abnormalities affecting the general health of the animal or bird.
14. Every licensee shall ensure that any animal or bird indicating signs of sickness or disease is examined and appropriately treated within twenty-four (24) hours of the onset of the illness, by a veterinarian or other qualified person experienced in the care and treatment of the species concerned, and that such animal or bird is kept in a quarantined area, separate from all other animals and birds until such illness is cured.
  15. No licensee shall sell, permit to be sold, offer for sale or give away any mammal before it has reached the normal weaning age, based on known requirements of that particular species.
  16. Any licence issued to the owner/operator of a pet shop may be cancelled and revoked upon receipt of an unfavourable report from the Ontario Society for the Prevention of Cruelty to Animals (OSPCA) concerning the premises on which the business is located or the condition and treatment of any animal kept in said pet shop.

**Schedule "A37"**  
**PHYSICAL FITNESS CLUB**

**A. DEFINITIONS:**

1. "Physical Fitness Club" means a location or premise which offers equipment, training, programs or other facilities or services designed to influence the conditions of a person's body, and may also include the operation of a whirlpool, but does not include the operation of a swimming pool.

**B. REASONS FOR REQUIRING LICENCE AND/OR IMPOSING CONDITIONS:**

1. For the purpose of protecting the health and safety of the customers, and to ensure that the business is not a nuisance to the surrounding properties and neighbourhood.

**C. REQUIREMENTS AND CONDITIONS OF LICENCE:**

1. No person shall operate or maintain the business of a physical fitness club within the Town without first obtaining a licence to do so.
2. Prior to a business licence being issued by the Business Licensing Officer, the applicant must obtain the approvals listed below:
  - a. Zoning Department;
  - b. Fire Department;
  - c. Building Department;
  - d. Property Standards Office.
3. At the time of application, the applicant shall provide current Certificates of Qualification for those persons employed as personal trainers and/or fitness instruction specialists.
4. Every person shall ensure that adequate sanitary facilities are provided in a location adjacent to dressing rooms and shower/bath rooms.

**Schedule "A38"**  
**PUBLIC ADDRESS SYSTEM**

**A. REASONS FOR REQUIRING LICENCE AND/OR IMPOSING CONDITIONS:**

1. For the purpose of ensuring that, the business is not a nuisance to the surrounding properties and neighbourhood.

**B. REQUIREMENTS AND CONDITIONS OF LICENCE:**

1. Every person who operates a public address system, loud speakers, sound equipment or similar devices when used on a highway, public lands or lands adjacent thereto, or when emitting sound thereto, shall be deemed to be operating the business of a public address system or loud speaker system.
2. No person shall operate or cause to be operated the business of a public address system, loudspeaker or similar device within the limits of the Town without first obtaining a licence to do so.
3. This Schedule shall not apply to the operation of church organs, church bells or chimes or the amplification thereof, or any domestic electronic sound device or loudspeaker system operated either for charitable organizations, festivals or in the case of disaster, evacuation and/or emergency.
4. No person shall operate a public address system or loudspeaker system within the limits of the Town except between the hours of 10:00 a.m. and 9:00 p.m.
5. No person shall operate a public address system or loudspeaker system at a volume, which consistently annoys adjacent property owners.
6. Notwithstanding the above, every person who operates a public address system, loud speakers, sound equipment or any other similar device shall ensure that such emission of sound does not contravene any provisions of the Town's Noise Control By-law and amendments thereto.
7. The applicant shall provide to the Business Licensing Office at the time of application, the hours of operation and routes for the public address system.

**Schedule "A39"**  
**PUBLIC HALL – COMMERCIAL OR INSTITUTIONAL**

**A. DEFINITIONS:**

1. "Public Hall (Commercial)" means a premise or building, including a portable building or ULC and/or CSA approved tent, not being a municipal or religious premise or building, which is offered for use or used as a place of public assembly, but does not include a theatre within the meaning of the Theatre Act.
2. "Public Hall (Institutional)" means a municipal or religious premise or building, which shall also include a portable building or ULC and/or CSA approved tent that is offered for use or used as a place of public assembly, but does not include a building, premise or ULC and/or CSA approved tent used solely for religious purposes.

**B. REASONS FOR REQUIRING LICENCE AND/OR IMPOSING CONDITIONS:**

1. For the purpose of protecting the health and safety of persons who enter the hall, and to ensure that the business is not a nuisance to the surrounding properties and neighbourhood.

**C. REQUIREMENTS AND CONDITIONS OF LICENCE:**

1. No person shall operate or maintain the business of a commercial or institutional public hall or allow any building or part thereof to be used as a commercial or institutional public hall within the Town without first having obtained a licence to do so.
2. Prior to a business licence being issued by the Business Licensing Officer, the applicant must obtain the approvals listed below:
  - a. Zoning Department;
  - b. Fire Department;
  - c. Building Department;
  - d. Property Standards Office;
  - e. Health Unit.
3. At the time of application, the applicant shall provide to the Business Licensing Officer the occupant load for the premise as set out by the Fire Chief or his designate.
4. No licence shall be required by any religious organization in respect of a public hall used for entertainment given or held by it, but every such hall shall in all other respects comply with this By-law.
5. A representative of the Police Department, Fire Chief, his designate or any assistant to the Fire Marshal, or any other municipal employee so authorized by Council may enter the public hall at all reasonable times in order to inspect such public hall and to enforce the provisions of this By-law.
6. The Fire Chief, his designate or any assistant to the Fire Marshal may, at any time, order the evacuation of a public hall when the occupants of the public hall are, in their opinion, endangered by a hazardous condition, and the Fire Chief, his designate or any assistant to the Fire Marshal may enter the hall at any time in order to ascertain such condition.

7. The licensee shall display in a prominent place within the licensed premise placards displaying the maximum occupant load, as determined by the Fire Chief or his designate. No person shall permit a greater number of persons to enter or be in the hall at any one time than the stated maximum capacity on the occupant load notice.
8. The licensee shall post in a prominent place within the licensed premise a notice stating the location of the nearest telephone, the telephone number of the Fire Department and the location of the nearest fire alarm box or fire hall.
9. No person shall permit or have in any public hall any hay, straw, shavings or similar combustible materials other than that required for feeding or bedding animals on a daily basis in a public hall.
10. The licensee shall ensure that all obstructions, including accumulation of ice and snow, are removed from all exit ways and fire escapes prior to admitting the public.
11. The licensee shall ensure that rugs, carpets or other floor coverings are secured and maintained so that they will not in any way impede egress.
12. The licensee shall ensure that mats located at the entrance of the public hall are flush with the floor or have beveled edges.
13. The licensee shall ensure that no obstruction is located in or adjacent to the path of exit travel.
14. The licensee shall ensure that curtains or drapes are not hung over any exit door.
15. The licensee shall take all necessary steps to ensure that the doors open freely whenever a public hall is to be used.
16. The licensee shall ensure that decorations, curtains and stage properties made of cloth, paper or other flammable material are not permitted in a public hall unless treated with a flame retardant and retreated once in every year.
17. The licensee shall ensure that flammable decorations, notwithstanding they are flame retardant treated, are not placed on an electric fixture or within three (3) feet of an electric bulb, stove or heating appliance or the pipes or wiring in connection therewith.
18. The licensee shall ensure that flammable liquids, explosives, fireworks or other substances dangerous to human life are not kept, stored and/or set off in a public hall or in any part of the building or the property on which the public hall is located. Should storage of materials noted above be required, the Fire Department must provide approval to do so.
19. The licensee shall ensure that smoking, matches, open flames, fire crackers or devices producing an exposed spark or flame are not used on any platform or stage in any public hall, unless in conjunction with a performance authorized by the Town to do so.
20. The licensee shall ensure that the public hall is kept clean and clear of rubbish.
21. The licensee shall ensure that metal containers with self closing covers are provided and conveniently placed for the deposit of used paper towels and rubbish, and the contents of

every such container shall be emptied and disposed of immediately following the use of the hall.

22. Every year before using the heating equipment, the licensee shall cause the furnace or stove, the pipes therefrom and the chimney to be examined, cleaned and put in a proper state of repair.
23. The licensee shall ensure that the public hall is equipped with fire extinguishers or an automatic sprinkler system as required by the Fire Chief or his designate.
24. Where the premise under this Schedule is a tent, the licensee will ensure that the electrical system operated within the tent is installed, maintained and operated in a safe manner.
25. The licensee shall ensure that any portable electrical systems are inspected by the Electrical Safety Authority and any defects corrected before any tent is occupied by the public.
26. No person shall smoke or have open flame devices in a tent at any time.
27. The licensee shall ensure that all electrical systems, equipment, fuses and switches are inaccessible to the public, and cables on the ground in areas used by the public are placed in trenches or protected as required by Electrical Safety Authority.
28. No person shall permit or have hay, straw, shavings or similar combustible materials other than that required for fodder and bedding for animals on a daily basis in a tent used for assembly purposes, except that sawdust and shavings may be used if kept damp.
29. The licensee shall:
  - a. ensure that ushers and other staff have received instruction in the use of the fire fighting equipment provided in the public hall;
  - b. prepare a fire safety plan for the public hall, which shall include the procedures for sounding the fire alarm, notifying the Fire Department, the evacuation of the occupants, and confining, controlling and extinguishing the fire.
  - c. Provide instruction to the staff outlining their responsibilities under the fire safety plan as established above.

**Schedule "A40"**  
**REFRESHMENT VEHICLE – MOTORIZED/NON-MOTORIZED**

**A. DEFINITIONS:**

1. "Motorized Refreshment Vehicle" means any vehicle or portable conveyance from which foodstuffs and/or refreshments are sold or offered for sale for consumption by the public, and shall include, but is not limited to, catering trucks.
2. "Non-Motorized Refreshment Vehicle" means any vehicle, unit or stand from which foodstuffs and/or refreshments are sold or offered for sale for consumption by the public, and shall include, but is not limited to push carts, wheeled vehicles, etc.

**B. REASONS FOR REQUIRING LICENCE AND/OR IMPOSING CONDITIONS:**

1. For the purpose of consumer protection, and ensuring that the vendor is following all required health regulations, and to ensure that the operator does not hinder vehicular or pedestrian traffic and/or cause a hazard in any way, and/or have a negative aesthetic impact on the municipality, which would fall under nuisance control.

**C. REQUIREMENTS AND CONDITIONS OF LICENCE:**

1. No person shall operate or maintain the business of a motorized or non-motorized refreshment vehicle within the Town without first obtaining a licence to do so.
2. Every person licensed under this Schedule shall be exempt from operating out of a permanent building.
3. Notwithstanding the above Section, any refreshment vehicle that is not in use shall be stored or parked in a permanent building if located in a residential zone within the Town.
4. Prior to a business licence being issued by the Business Licensing Officer, the applicant must obtain the approvals listed below:
  - a. Zoning Department
  - b. Fire Department;
  - c. Health Unit.
5. No person shall operate the business of a motorized or non-motorized refreshment vehicle on the following streets:
  - a. both sides of Spruce Street;
  - b. both sides of Beach Drive;
  - c. both sides of Main Street from Beach Drive to River Road West;
  - d. both sides of Willow Street;
  - e. both sides of 1st Street;
  - f. both sides of 2nd Street North;
  - g. both sides of 2nd Street South;
  - h. both sides of 3rd Street North;
  - i. both sides of Mosley Street from Main Street westerly to 4th Street;
  - j. both sides of River Road East from Main Street easterly to Zoo Park Road North;
  - k. both sides of River Avenue Crescent;

- I. both sides of Beck Street from River Road East to Main Street.
6. At the time of application, the applicant shall provide a Certificate of Liability Insurance, certifying the owner of each motorized or non-motorized refreshment vehicle for which a licence is being applied for, be insured against bodily injury, public liability and property damage claims, in the minimum amount of \$2,000,000 inclusive for any one occurrence. Said policy shall be endorsed to provide that the policy will not be altered, cancelled or allowed to lapse without thirty (30) days prior written notice to the Town.
7. Notwithstanding Section 6. If, for any reason, the insurance policy above is cancelled, or for any other reason does not remain in effect, the business licence issued under this Schedule shall become null and void on the final date for which the insurance was valid.
8. A licence shall not be required for the operation of a non-motorized refreshment vehicle if operation is for the purposes of a religious or charitable organization or educational institution provided that written confirmation is submitted to the Business Licensing Officer confirming the charity or school to which all profits are to be donated, and the location, dates and times of said operation, as well as any approvals as noted in Section C.4 of this Schedule.
9. Notwithstanding the above section, a non-motorized refreshment vehicle being operated for the purposes of a religious or charitable organization or educational institution shall not be situated on any of the streets described in Section 5 above.
10. Every licensee shall ensure that each motorized or non-motorized refreshment vehicle is equipped with a metal refuse container with a self closing lid, and such container shall be kept in a clean and sanitary condition and emptied at least once daily; or a disposable litter container which shall be replaced at least once daily; and such containers shall be used for the disposal of all refuse.
11. Every licensee shall ensure that every refuse container is located in such a position on the motorized or non-motorized refreshment vehicle so as to be easily accessible by persons making purchases while the vehicle is stopped.
12. Every licensee shall ensure that where a motorized or non-motorized refreshment vehicle is powered by propane, said vehicle is inspected and certified at the time of application and on an annual basis by an authorized inspector, and such certification shall be filed with the Business Licensing Officer at the time of application or as may be required.
13. Every licensee shall ensure that where the motorized or non-motorized refreshment vehicle is powered by propane, a minimum five pound ABC dry chemical fire extinguisher or as otherwise may be required by the Fire Chief or his designate, shall be mounted on the vehicle, and the operator of such vehicle shall be knowledgeable in the proper use of such fire extinguisher.
14. Every licensee shall ensure that no LPG (liquefied petroleum gas), LNG (liquefied natural gas) or any combustible fuelled appliance is operated within ten (10) feet of any structure, door, window or opening, which shall include an alcove or alleyway.
15. Every licensee shall ensure that the motorized or non-motorized refreshment vehicle is free from holes, crevices or cracks and the surface is readily washable and is kept clean and in good condition.

16. Every person selling or handling refreshments and foodstuffs shall be clean and neat in appearance and shall maintain clean hands at all times.
17. No licensee shall permit any individual other than a bona fide employee to operate the vehicle.
18. The licensee shall ensure that every motorized or non-motorized refreshment vehicle displays in a contrasting colour and in clearly visible letters, on both side panels, the operating name of the business as it appears on the business licence.
19. Every owner shall take out a separate licence for each motorized or non-motorized refreshment vehicle owned or operated and the licence number issued in respect of such licence shall be securely affixed to the rear of the refreshment vehicle and be visible at all times.
20. Every licensee shall, at his own expense and whenever required to do so by the Business Licensing Officer, bring such motorized or non-motorized refreshment vehicle to any person designated by the Business Licensing Officer for inspection.
21. No person shall stop, park or otherwise carry on business from a motorized or non-motorized refreshment vehicle for the purpose of selling or offering for sale any refreshments or products at a distance of less than four hundred (400 m) meters from any intersection, any school grounds or any public park, or any business establishment or other designated area in which similar products are sold, unless authorized by the Town to do so.
22. No person shall stop, park or otherwise carry on business from a motorized refreshment vehicle in any permitted zone for longer than a fifteen (15) minute period, and no person shall obstruct traffic in any way on any street.
23. No person shall operate a motorized or non-motorized refreshment vehicle from any boulevard, sidewalk, municipal parking lot, Municipal Park or other municipal property within the Town unless authorized by the Business Licensing Officer to do so.
24. No person shall stand, stop, park, or permit to stand, stop or be parked any motorized or non-motorized refreshment vehicle contrary to any Town by-law, the Highway Traffic Act or other by-law or statute as may be applicable.
25. Every licensee shall ensure that each operator or employee is made familiar with the contents of this Schedule and shall not permit any operator or employee under his control, management, supervision or direction to breach any of the provisions of this Schedule.
26. No person shall operate a motorized or non-motorized refreshment vehicle equipped with a deep fat fryer or similar equipment unless such vehicle is equipped with a fire extinguishing system as set out under NFPA 96 and to the satisfaction of the Fire Chief or his designate.
27. No person shall sound a horn or other signaling device in connection with the conduct of business from or in conjunction with a motorized or non-motorized vehicle between the hours of 7:00 p.m. of one day and 7:00 a.m. of the next day.

28. A new licence may be issued by the Business Licensing Officer where a person holds a valid business licence under this Schedule for the current year, and where such person certifies that the motorized or non-motorized refreshment vehicle licensed under this Schedule has been removed from service and is being replaced by another vehicle to be operated as a refreshment vehicle, and upon submitting the following:

- a. a duly completed application form;
- b. an appropriate safety inspection certificate for the vehicle to be licensed as a mobile vending vehicle;
- c. any other required inspections, approvals or documents as required by the Business Licensing Officer;
- d. payment of the required business licence fee.

**Schedule "A41"**  
**REGISTERED MASSAGE CLINIC**

**A. DEFINITIONS:**

1. "Registered Massage Clinic" means a premise where medical or therapeutic massage treatment is given by a person duly qualified, licensed and registered to do so under the laws of the Province of Ontario.
2. "Massage Therapist" means a person duly qualified, licensed and registered to provide medical or therapeutic massage treatment under the laws of the Province of Ontario.

**B. REASONS FOR REQUIRING LICENCE AND/OR IMPOSING CONDITIONS:**

1. For the purpose of protecting the health and safety of the customers, and to ensure that the business is not a nuisance to the surrounding properties and neighbourhood.

**C. REQUIREMENTS AND CONDITIONS OF LICENCE:**

1. No person shall operate or maintain the business of a registered massage clinic without first obtaining a licence to do so.
2. Prior to a business licence being issued by the Business Licensing Officer, the applicant must obtain the approvals listed below:
  - a. Zoning Department;
  - b. Fire Department;
  - c. Building Department;
  - d. Property Standards Office.
3. At the time of application, the applicant shall provide to the Business Licensing Officer and maintain at all times with the Business Licensing Officer, a list of all registered massage therapists employed by the clinic, together with a valid Certificate of Qualification from a recognized institution for each therapist.
4. No person shall employ any person as a massage therapist or permit any person to engage in any activity of massage therapy unless such person holds a valid Certificate of Qualification from a recognized institution.
5. No person licensed to operate or maintain a registered massage clinic shall actively engage in the business of, or perform, massage therapy unless he is the holder of a valid Certificate of Qualification from a recognized institution.

**Schedule "A42"**  
**REST HOME**

**A. DEFINITIONS:**

1. "Rest Home" means a building in which persons who are harboured, received or lodged and where, in addition, to sleeping accommodation and meals, nursing, medical or similar care and treatment may be provided, but shall not include a hospital, a children's home, a nursing home, a home for the aged, a care home facility or other similar establishment.

**B. REASONS FOR REQUIRING LICENCE AND/OR IMPOSING CONDITIONS;**

1. For the purpose of protecting the health and safety of the persons residing therein and to ensure that the establishment does not create a nuisance to the adjoining properties or neighbourhood.

**C. REQUIREMENTS AND CONDITIONS OF LICENCE:**

1. No person shall operate or maintain, offer for rent, or permit to be used or rented, a rest home within the Town without first obtaining a licence to do so.
2. Prior to a business licence being issued by the Business Licensing Officer, the applicant must obtain the approvals listed below:
  - a. Zoning Department;
  - b. Fire Department;
  - c. Building Department;
  - d. Property Standards Office;
  - e. Health Unit.
3. The licensee shall ensure that the building is in compliance with the Ontario Fire Code, the Ontario Building Code and Town's Property Standards By-law.
4. The licensee shall ensure that an electrical inspection certificate is provided at the time of application or as otherwise requested, to the Business Licensing Officer, verifying the building is in compliance with the Electrical Safety Authority requirements and that such electrical system has been inspected within five (5) years of the date of application.
5. The licensee shall ensure that an inspection certificate has been provided at the time of application or as otherwise requested, to the Business Licensing Officer, from a certified technician that the heating system is in a safe working order, and that such heating system has been inspected within five (5) years of the date of application.

**Schedule "A43"**  
**RESTAURANT/TAVERN**

**A. DEFINITION:**

1. "Restaurant" and/or "Tavern" means a premise or associated outdoor café area which may include seating, in which food, non-alcoholic and/or alcoholic beverages are prepared, served, sold and/or offered for sale to the public for immediate consumption.

**B. REASONS FOR REQUIRING LICENCE AND/OR IMPOSING CONDITIONS:**

1. For the purposes of protecting the health and safety of the customers, to ensure the protection of the consumer, and to ensure that the business is not a nuisance to the surrounding properties and neighbourhood.

**C. REQUIREMENTS AND CONDITIONS OF LICENCE:**

1. No person shall operate or maintain the business of a restaurant and/or tavern within the Town without first having obtained a licence to do so.
2. Prior to a business licence being issued by the Business Licensing Officer, the applicant must obtain the approvals listed below:
  - a. Zoning Department;
  - b. Fire Department;
  - c. Building Department;
  - d. Property Standards Office;
  - e. Health Unit.
3. At the time of application, the applicant shall provide to the Business Licensing Officer the occupant load for the premise as set out by the Fire Chief or his designate.
4. At the time of application, and if applicable, the applicant shall provide to the Business Licensing Officer a copy of the Liquor Licence as issued by the Alcohol and Gaming Commission of Ontario (AGCO).
5. If the premise is divided into compartments in which persons are served with food or other refreshments, the licensee shall ensure that the compartments are not enclosed on more than three sides and shall ensure that no curtain, screen or other obstruction is used on the fourth side.
6. The licensee shall ensure that no dogs, cats or other animals are allowed in any premise or place where food is kept, stored, cooked, prepared or served.
7. Notwithstanding the above Section, no person shall, in respect of any blind person being guided or led by a certified guide dog:
  - a. refuse to serve such person;
  - b. refuse to permit such person to enter with such dog into or upon any place or premise to which this licence relates;

- c. refuse to permit such person and such dog to remain in or upon such place or premise by reason only of the presence of said dog.
8. The licensee shall ensure that all premises are operated in a clean and sanitary condition, and that all premises are sufficiently and suitably lighted and ventilated.
9. The licensee shall ensure that no room is used for sleeping.
10. The licensee shall ensure that garbage and waste are removed from the premise as often as is necessary to maintain the premise in a sanitary condition.
11. The licensee shall ensure that garbage receptacles in a room or place where food is prepared, handled, processed, displayed, sold, offered for sale, served or stored:
  - a. are cleaned and sanitized daily, and are removed from the room when full;
  - b. except where daily collection service is provided, are placed in a separate room, place, compartment or bin, so constructed and maintained as to exclude vermin and insects and prevent odours and health hazards on the premise.
12. The licensee shall ensure that all liquid waste from the operation of the premise is disposed of in a sanitary manner.
13. The licensee shall ensure that kitchens and other similar facilities are equipped with ample facilities for washing and sterilizing eating and cooking utensils.
14. The licensee shall ensure that adequate sanitary toilet facilities are provided as required by the Health Unit, and the licensee shall ensure that such facilities are maintained in a clean and sanitary condition at all times.
15. Every person employed in such premise shall keep himself and his wearing apparel in a clean and sanitary condition.
16. The licensee shall ensure that all premises comply with Ontario Fire Code regulations.
17. No person shall operate a refreshment vehicle of any class as an extension of a restaurant operation without a licence to do so.

**Schedule "A44"**  
**RESTAURANT – TAKE OUT OR DRIVE THRU**

**A. DEFINITIONS:**

1. "Restaurant-Drive Thru" means a premise where refreshments and/or food is prepared, served, sold or offered for sale to the public for consumption, such service being provided by way of drive thru or take out methods, including snack bars and concessions, and no premise shall provide seating except for customers waiting for orders, and shall not include a restaurant/tavern as otherwise defined.
2. "Restaurant-Take Out" means a premise where refreshments and/or food is prepared, served, sold, or offered for sale to the public for consumption off the premise, and shall not include a restaurant/tavern or restaurant-drive thru as otherwise defined.

**B. REASONS FOR REQUIRING LICENCE AND/OR IMPOSING CONDITIONS:**

1. For the purposes of protecting the health and safety of the customers, to ensure the protection of the consumer, and to ensure that the business is not a nuisance to the surrounding properties and neighbourhood.

**C. REQUIREMENTS AND CONDITIONS OF LICENCE:**

1. No person shall operate or maintain the business of a take-out or drive-thru restaurant within the Town without first obtaining a licence to do so.
2. Prior to a business licence being issued by the Business Licensing Officer, the applicant must obtain the approvals listed below:
  - a. Zoning Department;
  - b. Fire Department;
  - c. Building Department;
  - d. Property Standards;
  - e. Health Unit.
3. The licensee shall ensure that no dogs, cats or other animals are allowed in any premise or place where food is kept, stored, cooked, prepared or served.
4. Notwithstanding the above, no person licensed hereunder shall, in respect of any blind person being guided or led by a certified guide dog:
  - a. refuse to service such person or refuse to permit such person to enter with such dog into or upon any place or premise to which this licence relates;
  - b. refuse to permit such person and dog to remain in or upon such place or premise by reason only of the presence of said dog.
5. The licensee shall ensure that all premises are operated in a clean and sanitary condition and that all premises are sufficiently and suitably lighted and ventilated.
6. The licensee shall ensure that no room is used for sleeping.

7. The licensee shall ensure that no food or beverages are consumed by any customer within any take out or drive thru premise.
8. The licensee shall ensure that no refuse or filth is deposited or permitted to accumulate in any premise except as may be unavoidable for the proper carrying on of business.
9. The licensee shall ensure that garbage and waste is removed from the premise and property as often as is necessary to maintain the premise in a sanitary condition.
10. The licensee shall ensure that garbage receptacles in a room or place where food is prepared, handled, processed, displayed, sold, offered for sale, served or stored:
  11. are cleaned and sanitized daily and are removed from the room when full;
  12. except where daily collection service is provided are placed in a separate room, place, compartment or bin, so constructed and maintained as to exclude vermin and insects and prevent odours and health hazards on the premise.
13. The licensee shall ensure that all liquid waste from the operation of the premise is disposed of in a sanitary manner.
14. The licensee shall ensure that adequate sanitary toilet facilities are provided as required by the Health Unit and such facilities are maintained in a clean and sanitary condition at all times.
15. Every person employed in such premise shall keep himself and his wearing apparel in a clean and sanitary condition.
16. All premises shall comply with the provisions of Ontario Fire Code regulations

**Schedule "A45"**  
**RETAIL MERCHANT NOT OTHERWISE LICENSED UNDER THIS BY-LAW**

**A. DEFINITION:**

1. "Retail Merchant" means a person who provides goods and/or services in the retail industry, but that is not a mail/telephone merchant nor otherwise licensed by specific classification in this By-law.

**B. REASONS FOR REQUIRING LICENCE AND/OR IMPOSING CONDITIONS:**

1. For the purpose of protection of the consumer and to ensure that the business is not a nuisance to the surrounding properties and neighbourhood.

**C. REQUIREMENTS AND CONDITIONS OF LICENCE:**

1. This Schedule shall apply to any person operating the business of any retail trade, calling, business or occupation.
2. No person shall operate or maintain the business of any retail trade, calling, business or occupation within the Town without first obtaining a licence to do so.
3. Prior to a business licence being issued by the Business Licensing Officer, the applicant must obtain the approvals listed below if deemed necessary by the Business Licensing Officer:
  - a. Zoning Department;
  - b. Fire Department;
  - c. Building Department;
  - d. Property Standards Office;
  - e. Health Unit.
4. At the time of application, the applicant shall provide adequate insurance if deemed necessary by the Business Licensing Officer.
5. The licensee shall ensure that garbage and waste are removed from the premises as often as is necessary to maintain the premise in a sanitary condition.

**Schedule "A46"**  
**SALVAGE OR WRECKING YARD**

**A. DEFINITIONS:**

1. "Salvage Yard" means a premise where goods, wares, merchandise, articles or things are processed for further use and where such goods, wares, merchandise, articles or things are stored wholly or partly in the open, and includes, but is not limited to, a junk or scrap metal yard and an automobile wrecking yard or premise.
2. "Wrecking Yard" means a premise, including a building and lot or either in singular, used for the wrecking or partial or total dismantlement of motor vehicles and for the storage and sale or intended sale of scrap material salvage and parts obtained therefrom and intended for reuse, but shall not include any other defined automotive use or salvage yard.

**B. REASONS FOR REQUIRING LICENCE AND/OR IMPOSING CONDITIONS:**

1. For the purpose of protecting the consumer purchasing items, and to ensure that the building and/or yard is safe and healthy for the persons to enter.

**C. REQUIREMENTS AND CONDITIONS OF LICENCE:**

1. No person shall operate or maintain the business of a salvage or wrecking yard within the Town without first obtaining a licence to do so.
2. Prior to a business licence being issued by the Business Licensing Officer, the applicant must obtain the approvals listed below:
  - a. Zoning Department;
  - b. Fire Department;
  - c. Building Department;
  - d. Property Standards Office.
3. The licensee shall ensure that the business is conducted at all times in such a manner so as not to disturb or be a nuisance to any other business, resident or person.
4. The licensee shall conduct business in such a manner so as not to contravene any provision of the Town's Noise Control By-law.
5. No person shall burn or allow to be burned any type of combustible material or matter, except as may be permitted by the Fire Chief or his designate in accordance with the Town's by-laws.
6. The licensee shall keep the premise free from rubbish and shall maintain such premise in a clean and neat condition.
7. The licensee shall keep any sidewalk, boulevard, street or other property not being that property licensed under the provisions of this Schedule, free from dirt or other foreign substance, material, object or item derived from or resulting from the operation of the salvage yard.

8. No person shall park or store or permit to be parked or stored any motor vehicle, part of any motor vehicle, or any motor powered machinery on or over any sidewalk, boulevard, street or other municipal property.
9. No person shall remove or cause to be removed any snow from the premise to any public sidewalk, boulevard, street or other municipal property.

10. Every licensee of a wrecking yard shall:

- a. keep any motor vehicle or part of a motor vehicle or other goods stored in a safe manner at all times;
- b. maintain a record of all goods purchased or taken in exchange or otherwise obtained, either at the licensee's place of business or elsewhere. The licensee shall make the entry at the time of purchase or acquisition including a full description of the goods, the make, model and serial number and vehicle identification number where applicable, the price paid, the name, address and description of the person from whom the purchase or acquisition was made, such description being sufficient to identify such persons, and shall include sex, approximate age, weight, height and complexion as well as any visible identifying marks;
- c. provide a copy of any record referred to in Section 10(b) above to an Officer upon demand, and shall deliver a copy of the monthly records to the Business Licensing Officer at the end of each calendar month. Such record shall be open to inspection by any Officer or appointed individual at all times during business hours, and such records may be removed at any time by such officer to the officer of the Business Licensing Officer or to a police station for inspection or for use in the Courts if necessary;
- d. where he has reasonable cause to believe or suspect that any motor vehicle, part of a motor vehicle, metal, goods or article offered for sale or trade has been stolen or otherwise unlawfully obtained, he shall immediately report the matter to the local police and/or the Business Licensing Officer;
- e. during the thirty (30) days referred to in Section 11(b) below, the goods or articles so obtained shall remain on the premise to which the licence is issued and shall be kept in a separate location from previously purchased, exchanged or acquired motor vehicles, parts of motor vehicles, metals, goods or articles;

11. No person shall:

- a. directly or indirectly purchase or otherwise acquire any goods or articles from, exchange with, or receive from or in pledge from, any minor under the age of eighteen (18) years without written authority from a parent or guardian of such minor;
- b. alter, repair, dispose of or in any way part with any motor vehicle, part of a motor vehicle, metals, goods or articles purchased or taken in exchange until after the expiration of thirty (30) days from the date of purchase, exchange or acquisition;
- c. permit the engine of any motor vehicle to run in any building, whether on a frame or in a motor vehicle, unless adequate ventilation is provided to ensure dilution of carbon monoxide fumes.

12. The storage of goods, wares, articles, scrap material, motor vehicles and parts thereof and other similar items relating to the intent of a salvage/wrecking yard licence shall be stored within the licensed location in an municipally approved area of containment constructed in accordance with all Town by-laws.

**Schedule "A47"**  
**SECOND HAND SALES**

**A. DEFINITIONS:**

1. "Antique" means any goods, object, material, merchandise or item of any kind, which is of a higher value because of its age, and in the case of vehicles such age shall be twenty-five (25) years or more.
2. "Second Hand Sales" means a person who sells or offers for sale antique items or second hand or used goods, materials, merchandise or items of any kind, and shall not include a temporary location for the sale of second hand goods.

**B. REASONS FOR REQUIRING LICENCE AND/OR IMPOSING CONDITIONS:**

1. For the purpose of protecting the consumer purchasing items, and to ensure that the building and/or yard is safe and healthy for the persons to enter.

**C. REQUIREMENTS AND CONDITIONS OF LICENCE:**

1. No person shall operate or maintain the business of second hand sales within the Town without first obtaining a licence to do so.
2. Prior to a business licence being issued by the Business Licensing Officer, the applicant must obtain the approvals listed below:
  - a. Zoning Department;
  - b. Fire Department;
  - c. Building Department;
  - d. Property Standards Office.
3. For the purpose of second hand sales, every licensee shall:
  - a. at all times keep any second hand goods, wares or merchandise to be sold or offered for sale within a building, and none of the goods, wares or merchandise shall be offered for sale or sold except within such building;
  - b. ensure that all antique goods, wares and merchandise sold or offered for sale are displayed and kept in a neat, tidy, sanitary and safe manner;
  - c. at any time, permit such building operated or maintained for the purpose of antique sales to be inspected by anyone appointed by the Town for that purpose, and the proprietor of such business shall promptly ensure that any reasonable changes in regard to the operation or conduct of the business are carried out as required by the inspector;
  - d. maintain a record of all goods, wares, merchandise or articles purchased or taken in exchange or otherwise obtained, either at the licensee's place of business or elsewhere. The entry must be made at the time of purchase or acquisition, including a full description of the goods, wares, merchandise or articles, including the make, model and serial number, where applicable, the price paid therefore, and the name, address

and description of the person from whom the purchase or acquisition was made which is sufficient to identify such persons, and shall include sex, approximate age, weight, height and complexion as well as any visible identifying marks;

- e. provide a copy of any record referred to above to an Officer upon demand and shall deliver a copy of monthly records to the Business Licensing Officer at the end of each calendar month. Such record shall be open to inspection by any Officer at all times during business hours and may be removed at any time by such officer for inspection or for use in the Courts if necessary;
- f. conduct the business with as little noise as possible and in such a manner as not to contravene the provisions of the Town's Noise Control By-law;
- g. where he has reasonable cause to believe or suspect that any goods, wares, merchandise or other article offered for sale or trade has been stolen or otherwise unlawfully obtained, he shall forthwith report the matter to the nearest police station.

4. For the purpose of second hand sales, no person shall:

- a. burn or cause or suffer to be burned any type or description of combustible material or matter except only material or matter used for heating fuel and burned in a heating unit installed for that purpose, or as otherwise permitted by the Fire Chief or his designate in accordance with the Town's By-laws;
- b. conduct such business in such a manner as to be a public or private nuisance;
- c. directly or indirectly purchase from exchange with, or receive from or in pledge from any minor, under the age of eighteen (18) years, without written authority from a parent or guardian of such minor, any vehicle, parts of a vehicle, metals, goods or articles;
- d. alter, repair, dispose of or in any way part with any vehicle, part of a vehicle, metals, goods or articles purchased or taken in exchange until after the expiration of thirty (30) days from the date of purchase or such exchange.

**Schedule "A48"**  
**SELF-STORAGE FACILITY**

**A. DEFINITION:**

1. "Self Storage Facility" means a building, structure or premise used for the temporary storage of household items and seasonal, recreational or commercial vehicles, boats and trailers in storage areas or lockers, which are generally accessible by means of individual loading doors.

**B. REASONS FOR REQUIRING LICENCE AND/OR IMPOSING CONDITIONS:**

1. For the purpose of protecting the health and safety of the customers, and to ensure that the business is not a nuisance to the surrounding properties and neighbourhood.

**C. REQUIREMENTS AND CONDITIONS OF LICENCE:**

1. No person shall operate or maintain the business of a self-storage facility within the Town without first obtaining a licence to do so.
2. Prior to a business licence being issued by the Business Licensing Officer, the applicant must obtain the approvals listed below:
  - a. Zoning Department;
  - b. Fire Department;
  - c. Building Department;
  - d. Property Standards Office.
3. The licensee shall ensure that the business is conducted at all times in such a manner so as not to disturb or be a nuisance to any other business, resident or person.
4. No person shall permit the licensed premise to be used for storage of wrecked vehicles unless otherwise licensed to do so under the provisions of this By-law.
5. No person shall permit any individual to live in any self-storage unit.
6. No person shall permit any individual to keep or accommodate any animal in any self-storage unit.
7. No person shall operate or permit any business to operate from any self-storage unit.
8. The licensee shall ensure that all goods are stored within the confines of the self-storage units.

**Schedule “A49”  
SEPTIC, SANITATION/ENVIRONMENTAL SERVICES**

**A. DEFINITION:**

1. “Septic, Sanitation or Environmental Services” means a person who removes from any premise, organic or inorganic waste, chemicals, solvents, oils or other such matter from septic or holding tanks, sand traps, farm pits, for the purpose of its disposal, and shall include the removal and disposal of household waste.

**B. REASONS FOR REQUIRING LICENCE AND/OR IMPOSING CONDITIONS:**

1. For the purpose of protecting the health and safety of the customers, and to ensure that the business is not a nuisance to the surrounding properties and neighbourhood, and that the work performed is up to the industry standards.

**C. REQUIREMENTS AND CONDITIONS OF LICENCE:**

1. No person shall operate or maintain the business of septic, sanitation and environmental services within the Town without first obtaining a licence to do so.
2. Every person licensed under this Schedule shall be exempt from operating out of a permanent building.
3. At the time of application, the applicant shall provide to the Business Licensing Officer a Certificate of Approval as issued by the Ministry of the Environment respecting Part 5 of the Environmental Protection Act, particularly with respect to the hauling of waste.
4. Every licensee shall maintain and conduct the business in a sanitary manner as required by the Health Unit and the Ministry of the Environment;
5. Every person shall ensure that where leakage, seepage or other depositing of waste occurs, such leakage, seepage or other deposit is immediately attended to and removed in an appropriate manner.
6. No person shall permit the external storage of goods, materials or equipment on the property from which he is licensed.

**Schedule "A50"**  
**SERVICE VENDOR**

**A. DEFINITION:**

1. "Service Vendors", not otherwise licensed under this By-law, shall mean all businesses, trades, callings or occupations who supply a service to a customer while not connected to a retail trade, calling or business.

**B. REASONS FOR REQUIRING LICENCE AND/OR IMPOSING CONDITIONS:**

1. For the purpose of protection of the consumer and to ensure that, the business is not a nuisance to the surrounding properties and neighbourhood.

**C. REQUIREMENTS AND CONDITIONS OF LICENCE:**

1. This Schedule shall apply to any person operating a business that supplies a service to any customer, when said service is not connected with or part of any retail trade, calling or business.
2. No person shall operate or maintain the business of supplying a service within the Town without first obtaining a licence to do so.
3. Every person licensed under this Schedule shall be exempt from operating out of a permanent building within the Town.
4. A service vendor who operates the business from an appropriately zoned premises/property must obtain the following approvals prior to a business licence being issued by the Business Licensing Officer or his designate:
  - a. Zoning Department;
  - b. Fire Department;
  - c. Building Department;
  - d. Property Standards Office.
5. At the time of application, the applicant shall provide adequate insurance if deemed necessary by the Business Licensing Officer.
6. No person shall permit the external storage of goods, materials and/or equipment at any property that the person licensed resides at if said property is within the boundaries of the Town.

**Schedule "A51"  
SIGN COMPANY**

**A. DEFINITION:**

1. "Sign Company" means a person who rents or leases or otherwise provides, erects, locates a sign or other advertising device which shall include, but is not limited to poster panel signs, grounds signs, mobile signs, banner signs, walls signs, billboard signs, a frame signs (sandwich board), etc.

**B. REASONS FOR REQUIRING LICENCE AND/OR IMPOSING CONDITIONS:**

1. To ensure that the service provided and the work performed is up to industry standards and that minimum liability insurance is in place, as a condition of operating said business, for the general protection of the consumer and to assist in the enforcement of this by-law.

**C. REQUIREMENTS AND CONDITIONS OF LICENCE:**

1. No person shall operate or maintain the business of a Sign Company within the Town without first having obtained a licence to do so.
  - a. The applicant shall provide to the Business Licensing Officer at the time of application, proof of liability insurance in the minimum amount of \$2,000,000.00. Said policy shall be endorsed to provide that the policy will not be altered, cancelled or allowed to lapse without thirty (30) days prior written notice to the Town.
  - b. Notwithstanding Section 2.a., if, for any reason, the insurance policy above is cancelled, or for any other reason does not remain in effect, the business licence issued under this Schedule shall become null and void on the final date for which the insurance was valid.
2. No person shall install, erect, locate, permit or allow to be erected or located any sign without the necessary permits being obtained.
3. No person shall allow or permit any sign to remain installed, erected or located where a permit required for such sign has expired or is no longer valid.
4. No person shall install, erect, permit, allow locate any sign on public and/or private property contrary to any by-law.

**Schedule "A52"**  
**SMALL ENGINE REPAIR**

**A. DEFINITION:**

1. "Small Engine Repair" means a person who restores or does maintenance to the engine, motor or operational parts of a tool, implement, piece of equipment or other similar item to return it to a good condition, and shall include but is not limited to the replacement or restoration of worn out parts.

**B. REASONS FOR REQUIRING LICENCE AND/OR IMPOSING CONDITIONS:**

1. For the purposes of consumer protection to ensure that, the service provided is up to industry standards.

**C. REQUIREMENTS AND CONDITIONS OF LICENCE:**

1. No person shall operate or maintain the business of small engine repair within the Town without first obtaining a licence to do so.
2. Prior to a business licence being issued by the Business Licensing Officer, the applicant must obtain the approvals listed below:
  - a. Zoning Department;
  - b. Fire Department;
  - c. Building Department;
  - d. Property Standards Office.
3. No person shall remove or cause to be removed any snow from the premise to any public sidewalk, street or roadway.
4. Every person shall:
  - a. keep the premise free from rubbish and in a clean and neat condition;
  - b. keep any sidewalk or street upon which the premise abuts free from any dirt or other foreign substance derived from or resulting from the use thereof.
5. The storage of motors and parts thereof, power equipment and other similar items relating to the intent of a small engine repair licence shall be stored within the licensed location in a municipally approved area of containment constructed in accordance with all Town by-laws.

**Schedule "A53"**  
**SPECIAL SALE**

**A. DEFINITION:**

1. "Special Sale" means any sale or intended sale at retail described by the use of any of the following words or expressions, or any enlargement, contraction or combination thereof:

Bankrupt	Selling Out	Water Damage
Insolvent	Lease Expiring	Creditor
Trustee	Closing Out	Forced
Receiver	Discontinuing	Garage
Liquidation	Fire	Yard
Moving Out	Smoke	Lawn

or any other similar word or words that represent, hold out or advertise that any goods, wares or merchandise are to be disposed of in a manner that is not in the ordinary course of retail business.

**B. REASONS FOR REQUIRING LICENCE AND/OR IMPOSING CONDITIONS:**

1. For the purpose of protecting the health and safety of the customers, and to ensure that the business is not a nuisance to the surrounding properties and neighbourhood.

**C. REQUIREMENTS AND CONDITIONS OF LICENCE:**

1. No person shall sell, offer to sell, display or advertise for sale in any way any goods, wares or merchandise by way of special sale within the limits of the Town without first obtaining a licence to do so.
2. Any sale conducted by a religious or charitable organization or educational institution shall be required to obtain a licence to do so; however, shall not be required to pay the fee as outlined below.
3. In the case of a neighbourhood special sale, one permit may be issued with one fee being paid, subject to a list detailing all participants and the street addresses being provided to the Business Licensing Office;
4. For greater certainty, the participants or the street address of a neighbourhood special sale must comply with this Schedule.
5. FEES:
  - a. The fees to obtain a permit for a special sale shall be as shown on Schedule "B" attached to this By-law;
  - b. If an applicant attends the municipal office to purchase a special sale licence prior to the date of the special sale, and said licence is issued, he shall be subject to an early payment rate as shown on Schedule "B" attached to this By-law.
6. Where the applicant is not the owner of the goods, the application shall be accompanied by a statutory declaration of the owner of the goods, verifying the details of said application.

7. The applicant shall produce all books, records or other documents, as the Business Licensing Officer shall deem necessary to corroborate any of the statements contained in the application.
8. No person shall add to or replenish the goods described in the application or substitute any goods thereof.
9. A special sale shall be conducted between the hours of 8:00 a.m. and 8:00 p.m. only.
10. A licence for a special sale shall be issued only two times for any one location in any calendar year.
11. A licence for a special sale shall be issued only two times to any one person in any calendar year.
12. No sign advertising a special sale shall be of a size greater than one (1 sq.m) square meter.
13. No sign advertising a special sale shall fail to show the street address and date of sale.
14. One sign only may be placed in each direction of travel on the roadway adjoining the location of the special sale and no sign shall be placed in such a location as to impede vehicular or pedestrian traffic.
15. No signs may be erected until three (3) days previous to the date of the special sale, and any and all signs shall be removed immediately upon the close of said special sale.
16. No goods, wares or merchandise may be placed or displayed at a distance closer than six (6 m) metres (19.68') to the roadway or street line.

**D. LICENCE REFUSAL/REVOCTION:**

1. The Business Licensing Officer may refuse to issue a licence or may revoke any licence already issued for a special sale if:
  - a. any attempt is made to add to or replenish the goods described in the application or substitute any goods thereof;
  - b. the sale is advertised or conducted in a manner other than that described in the application, or is in any manner calculated to mislead or deceive the public.

**Schedule "A54"**  
**TAXICAB**

**A. DEFINITIONS:**

1. "Taxicab" means a motor vehicle equipped with a taximeter and having a manufacturer's rated seating capacity of not less than six persons and not more than nine persons, hired for one specific trip for the transportation exclusively of one person or group of persons, one fare or charge only being collected or made for the trip, other than a car pool vehicle.

**B. REASONS FOR REQUIRING LICENCE AND/OR IMPOSING CONDITIONS:**

1. For the purpose of consumer protection to ensure that the services are being provided by individuals with acceptable backgrounds, and to ensure that the business does not create a nuisance to the health and safety of the public.

**C. REQUIREMENTS AND CONDITIONS OF LICENCE:**

1. No person shall operate or maintain a taxicab within the Town without first obtaining a licence to do so.
2. At the time of application or renewal, the applicant shall provide to the Business Licensing Officer the following:
  - a. a copy of the ownership certificate for each vehicle to be licensed as a taxicab;
  - b. submit each taxicab for a vehicle inspection bi-annually when specified, and at any other time, as required by the officer for a vehicle inspection;
  - c. file bi-annually with the Business Licensing Officer when specified, a valid and current Safety Standards Certificate for each taxicab owned by him and intended to be used as a taxicab in accordance with the provisions of the Highway Traffic Act,
  - d. R.S.O. 1990, c.H.8;
  - e. a Certificate of Liability Insurance, certifying the owner of each taxicab for which a taxicab vehicle licence is being applied for, is insured against bodily injury, public liability and property damage claims, in the minimum amount of \$2,000,000 inclusive for any one occurrence. Said policy shall be endorsed to provide that the policy will not be altered, cancelled or allowed to lapse without thirty (30) days prior written notice to the Town;
  - f. Notwithstanding Section 2.d., if, for any reason, the insurance policy above is cancelled, or for any other reason does not remain in effect, the business licence issued under this Schedule shall become null and void on the final date for which the insurance was valid.
3. No person shall drive any taxicab without first being licensed as a taxicab driver under the provisions of this By-law.
4. No person shall drive a taxicab at any time where such vehicle being operated as a taxicab does not or, it put to an inspection, could not pass the safety standards established pursuant to The Highway Traffic Act, R.S.O. 1990, c.H.8.

5. No owner or driver of a taxicab shall fail to maintain the interior and exterior in a good repair and keep the taxicab in a clean and sanitary condition at all times, and without limiting or restricting the generality of this Section, good repairs includes:
  - a. equipped with an extra tire, wheel and jack ready for use;
  - b. free from mechanical defects;
  - c. equipped with interior lights in proper working order;
  - d. free from exterior body damage with a well-maintained exterior paint finish;
  - e. equipped with all original components such as hub caps, moldings, etc.
6. No owner shall fail to ensure that the taxicab is equipped with an emergency amber light system that can be activated by a driver in emergency situations and shall be installed at the front and the rear of the taxicab.
7. If any owner or driver of any taxicab receives notice, either verbally or in writing, that such taxicab is not in a fit or proper condition for use, such owner or driver shall, forthwith, cause same to be in a fit and proper condition.
8. All taxicabs shall be properly marked so as to be readily identifiable as a taxicab, and shall bear an identification number issued and provided for by the Corporation which shall be displayed as directed by the Business Licensing Officer.
9. No owner or driver of a taxicab shall fail to ensure that such vehicle is used only as a taxicab and is not used as a limousine unless otherwise licensed under the provisions of this By-law.
10. No person shall operate any vehicle as a taxicab unless such vehicle is equipped with more than two passenger access doors.
11. Where a person holds a valid Town of Wasaga Beach business licence under this Schedule for the current year, this person must certify in writing when the taxicab licensed under this Schedule has been removed from service.

**Schedule "A55"**  
**TAXICAB COMPANY**

**A. DEFINITIONS:**

1. "Taxicab Company" means a person who owns a taxicab or has possession or control thereof under an installment purchase agreement or by way of a rental, who is licensed as such or required to be licensed as such under this By-law, and "Taxicab Owner" shall have a corresponding meaning.

**B. REASONS FOR REQUIRING LICENCE AND/OR IMPOSING CONDITIONS:**

1. For the purpose of consumer protection to ensure that the services are being provided by individuals with acceptable backgrounds, and to ensure that the business does not create a nuisance to the health and safety of the public.

**C. REQUIREMENTS AND CONDITIONS OF LICENCE:**

1. No person shall operate or maintain a business as a taxicab company within the Town without first obtaining a licence to do so.
2. Prior to a business licence being issued by the Business Licensing Officer, the applicant must obtain the approvals listed below:
  - a. Zoning Department;
  - b. Fire Department;
  - c. Building Department;
  - d. Property Standards Office.
3.
  - a. At the time of application, the applicant shall provide to the Business Licensing Officer a Certificate of Liability Insurance, certifying the owner of each taxicab for which a taxicab vehicle licence is being applied for, is insured against bodily injury, public liability and property damage claims, in the minimum amount of \$2,000,000 inclusive for any one occurrence. Said policy shall be endorsed to provide that the policy will not be altered, cancelled or allowed to lapse without 10 days prior written notice to the Town.
  - b. Notwithstanding Section 3.a., if, for any reason, the insurance policy above is cancelled, or for any other reason does not remain in effect, the business licence issued under this Schedule shall become null and void on the final date for which the insurance was valid.
4. Every corporate applicant shall file a copy of the incorporating documents, along with any amending documents, and the most recent annual filing, if any.
5. An applicant's record of past conduct shall be such that it would not be contrary to the public interest for a licence to be granted or renewed.
6. The past conduct of the applicant or licensee shall not afford reasonable grounds for the belief that the applicant or licensee will not carry on the activity for which he is to be licensed or continue to be licensed in accordance with the law.

7. No owner shall fail to advise the Business Licensing Officer in writing and within ten (10) days of any change in any licence plate issued by the Ministry of Transportation.
8. No owner or driver shall permit any taxicab to be used for hire unless such taxicab is licensed under the provisions of this By-law.
9. No owner or driver shall permit any person to drive a taxicab unless such driver is licensed under the provisions of Schedule "A55" of this By-law to do so.
10. The applicant shall be at least eighteen (18) years of age to be licensed under this Schedule.
11. The applicant shall satisfy the Business Licensing Officer that he is able to provide twenty-four (24) hour taxicab service to the public for each day of the year.
12. No owner shall fail to ensure that all persons employed by him as taxicab drivers are properly licensed under the provisions of this By-law.
13. No owner shall fail to ensure that the telephone or radio dispatching equipment supplied is maintained in a proper working condition.
14. The licensee shall ensure that any taxicab operated by him is driven for the transportation exclusively of one person or group of persons in the same party, and that only one fare or charge is collected for each specified trip.
15. No owner or driver shall fail to keep an orderly record of all calls answered by taxicabs owned by him, showing the date, time, origin, destination, amount of fare collected for each trip, taxicab vehicle licence number and the name of the driver. The records shall be retained for a period of twelve (12) months from the date of entry and shall be open for inspection by any Officer at any reasonable time and may be removed and retained for any reasonable period of time.
16. No owner shall fail to file with the Business Licensing Officer a current duplicate copy of the tariff of fares displayed in the vehicle.
17. No owner or driver shall fail to prominently display in each taxicab owned by him a copy of the tariff of fares.

**Schedule "A56"**  
**TAXICAB DRIVER**

**A. DEFINITION:**

1. "Taxicab Driver" means the driver of a taxicab who is licensed as such under this by-law.

**B. REASONS FOR REQUIRING LICENCE AND/OR IMPOSING CONDITIONS:**

1. For the purpose of consumer protection to ensure that the services are being provided by individuals with acceptable backgrounds, and to ensure that the business does not create a nuisance to the health and safety of the public.

**C. REQUIREMENTS AND CONDITIONS OF LICENCE:**

1. No person shall operate or carry on business as a taxicab driver within the Town without first obtaining a licence to do so.
2. At the time of application or renewal, the applicant shall provide the following to the Business Licensing Officer:
  - a. two pieces of identification, one of which shall be photographic identification detailing the applicant's birth date, legal name and current residential address;
  - b. proof that he has and maintains a current valid driver's licence of the appropriate class issued pursuant to the Highway Traffic Act, R.S.O. 1990, c.H.8 as amended and the regulations thereunder, other than a Class G1 or Class G2 driver's licence;
  - c. a Canadian Police Information Centre clearance letter that shall fail to reveal a record, furnished by the police agency where the applicant resides. The clearance letter shall be dated within thirty (30) days preceding the date of application;
  - d. a certificate signed by him, confirming that he does not have any currently outstanding criminal charges or warrants pending before any courts;
  - e. a three year Driver Record Search issued by the Ministry of Transportation, Safety and Regulations Division, dated within thirty (30) days preceding the date of application. This search shall fail to reveal any convictions or found guilty of driving under suspension, speeding over 50 km above the limit, careless driving, racing on a highway, leaving the scene of an accident, flight from police or any Criminal Code offence committed by means of a motor vehicle or while driving or having care of a motor vehicle;
  - f. two (2) colour photographs of the applicant, 2" x 2 ½" in size.
3. An applicant's record of past conduct shall be such that it would not be contrary to the public interest for a licence to be granted or renewed.
4. The past conduct of the applicant or licensee shall not afford reasonable grounds for the belief that the applicant or licensee will not carry on the activity for which he is to be licensed or continue to be licensed in accordance with the law and with integrity and honesty.

5. No person shall provide any services or operate as a taxicab driver for any taxicab company, which is not licensed under the provisions of this Schedule.
6. A separate taxicab driver's licence is required for each taxicab company for whom the driver is employed.
7. No person shall drive any vehicle operated as a taxicab unless such vehicle is licensed as a taxicab under the provisions of this By-law.
8. No person shall receive calls dispatched from a taxicab company, which is not licensed under the provisions of this By-law.
9. Every taxicab driver shall be familiar with the provisions of this By-law, the laws and regulations relating to traffic and the geography of the Town of Wasaga Beach, and be fluent in the English language.
10. No taxicab driver shall fail to place his taxicab driver's photographic identification card, as issued by the Business Licensing Officer, in such a manner in the taxicab he is driving as to be conveniently seen and read by passengers.
11. No driver shall fail to notify the Business Licensing Officer in writing of any change of address within forty-eight (48) hours.
12. Every driver shall use his vehicle for one specific trip for the transportation of one or more persons, charging only one fare, unless such person or persons exclusively consent to ride the vehicle collectively and are charged separate fares for each specific destination.
13. No driver shall fail to travel by the most direct route to the point of destination unless otherwise directed by the person engaging the taxicab.
14. No driver shall fail to be neat and clean in his person and appearance.
15. While in charge of a taxicab for hire, no person shall solicit any person to take or use the taxicab he is driving by calling out or shouting. The person wishing to use or engage the taxicab shall be left to choose without interception or solicitation.
16. While in charge of a taxicab for hire, no driver shall carry a greater number of persons than the taxicab is intended to seat according to the manufacturer's rate of seating capacity or than specified in the licence issued under this By-law.
17. While in charge of a taxicab for hire, no driver shall permit or allow any immoral, indecent, illegal or disorderly conduct in his taxicab.
18. Nothing contained within this Schedule shall prevent a taxicab driver from conveying or delivering documents, packages or parcels.
19. While in charge of a taxicab for hire, no driver shall fail to, upon request of any passenger, give in writing the driver's name and the taxicab company name, address and telephone number.

20. No owner or driver shall fail to give a passenger a receipt when requested or whenever there is dispute over the fare or charge, which shall also contain the information noted in Section 20 above.
21. No owner or driver shall fail to keep an orderly record of all calls answered by taxicabs owned by him, showing the date, time, origin, destination, amount of fare collected for each trip, taxicab vehicle licence number and the name of the driver. The records shall be retained for a period of twelve (12) months from the date of entry and shall be open for inspection by any Municipal Law Enforcement Officer, Police Officer or other duly appointed individual at any reasonable time, and may be removed and retained for any reasonable period of time.
22. Every licensee who drives a taxicab of which he is not the owner shall, once in each calendar day that he has driven, deliver to the owner of the taxicab the trip record for that day, and produce the trip records upon the request of any Officer.
23. No owner shall fail to file with the Business Licensing Officer a current duplicate copy of the tariff of fares displayed in the vehicle, and no owner or driver shall fail to prominently display in each taxicab owned by him a copy of the tariff of fares.

**Schedule "A57"**  
**TOURIST ESTABLISHMENT – BED AND BREAKFAST**

**A. DEFINITIONS:**

1. "Tourist Establishment" means a building designed for the accommodation of the traveling or vacationing public wherein no room within the establishment shall be occupied by the same guest for a period of time exceeding thirty-one (31) consecutive days.
2. "Tourist Establishment-Bed and Breakfast" means a private residential dwelling unit, in which the owner resides, and within which guest rooms, that may have separate sanitary facilities but shall not have separate culinary facilities, are offered to the traveling public and meals may or may not be offered to the guests.

**B. REASONS FOR REQUIRING LICENCE AND/OR IMPOSING CONDITIONS:**

1. For the purpose of protecting the health and safety of the persons residing in the tourist establishments by ensuring that the fire code regulations are met, the required essentials such as plumbing and water are provided, for ensuring that the tourist establishments do not create a nuisance to the adjoining property or neighbourhood, and for consumer protection such that the persons residing in the tourist establishments know who to contact in the case of a problem or emergency with the tourist establishments.

**C. REQUIREMENTS AND CONDITIONS OF LICENCE:**

1. No person shall operate or maintain the business of a tourist establishment-bed and breakfast within the Town without first obtaining a licence to do so.
2. Prior to a business licence being issued by the Business Licensing Officer, the applicant must obtain the approvals listed below:
  - a. Zoning Department;
  - b. Fire Department;
  - c. Building Department;
  - d. Property Standards Office.
3. The applicant shall provide a list detailing the number of guest rooms and facilities offered by the establishment to the Business Licensing Officer at the time of application.
4. No person shall post any sign contrary to the provisions of any municipal by-law.
5. No person shall, in relation to the operation of the bed and breakfast establishment, park or permit to be parked any vehicle contrary to any municipal by-law.
6. Every person shall ensure that each guest room is provided with clean linens, including towels and any other customary toilet supplies for each registered individual on a daily basis.
7. Every person shall keep a register of all patrons showing their name, address, the vehicle make and licence plate number including Province or State from which such plate was issued, the date of admission and departure, and shall provide such register upon request of an Officer.

**Schedule “A58”**  
**TOURIST ESTABLISHMENT – BOARDING/LODGE/ROOMING HOUSE**

**A. DEFINITIONS:**

1. “Tourist Establishment” means a building designed for the accommodation of the traveling or vacationing public wherein no room within the establishment shall be occupied by the same guest for a period of time exceeding thirty-one (31) consecutive days.
2. “Tourist Establishment-Lodge” means a tourist establishment containing therein three or more guest rooms serviced by a common entrance where guest rooms may include culinary facilities and may have a separate entrance directly from outside the building, together with an office serving the patrons of the tourist establishment. Accessory uses may include rental cabins, accommodation for permanent staff and one or more beverage rooms, dining rooms or recreational facilities for use by the guests.
3. “Tourist Establishment-Boarding or Rooming House” means a dwelling in which the owner or agent resides and in which lodging for more than three persons, other than members of the owner’s or agent’s family, with or without meals, is supplied for gain, but shall not include a motel, hotel, hospital, children’s home, nursing home, home for the aged, bed and breakfast or other similar establishment.

**B. REASONS FOR REQUIRING LICENCE AND/OR IMPOSING CONDITIONS:**

1. For the purpose of protecting the health and safety of the persons residing in the tourist establishments by ensuring that the fire code regulations are met, the required essentials such as plumbing and water are provided, for ensuring that the tourist establishments do not create a nuisance to the adjoining property or neighbourhood, and for consumer protection such that the persons residing in the tourist establishments know who to contact in the case of a problem or emergency with the tourist establishments.

**C. REQUIREMENTS AND CONDITIONS OF LICENCE:**

1. No person shall operate or maintain, offer for rent, or permit to be used or rented, a tourist establishment-boarding, lodge or rooming house within the Town without first obtaining a licence to do so.
2. Prior to a business licence being issued by the Business Licensing Officer, the applicant must obtain the approvals listed below:
  - a. Zoning Department;
  - b. Fire Department;
  - c. Building Department;
  - d. Property Standards Office.
3. Notwithstanding the above, no licence shall be required for a student residence owned and operated by a College or University, a dwelling unit within an apartment building where two or fewer persons are harboured, received or lodged for hire.
4. The licensee shall ensure that the building is in compliance with the Ontario Fire Code, the Ontario Building Code and Town’s Property Standards By-law.

5. The licensee shall ensure that an electrical inspection certificate is provided at the time of application or as otherwise requested, to the Business Licensing Officer, verifying the building is in compliance with the Electrical Safety Authority requirements and that such electrical system has been inspected within five (5) years of the date of application.
6. The licensee shall ensure that an inspection certificate has been provided at the time of application or as otherwise requested, to the Business Licensing Officer, from a certified technician that the heating system is in a safe working order, and that such heating system has been inspected within five (5) years of the date of application.
7. The business licence application shall contain the following information on a form as approved by the Business Licensing Officer:
  - a. the name, address and telephone number of the registered owner of the property;
  - b. if the registered owner is a corporation, the name, address and telephone number of the principal and the secretary;
  - c. if the registered owner is a partnership, the name, address and telephone number of the individual members of the partnership;
  - d. the name address and telephone number of the keeper, manager, superintendent or custodian of the boarding or rooming house, if not the same as the owner;
  - e. the location of the boarding, lodge or rooming house including municipal address and legal description;
  - f. the maximum number of boarders proposed to be accommodated;
  - g. other facilities, including common facilities, within the premises which would be available to the boarders.

**Schedule “A59”**  
**TOURIST ESTABLISHMENT – HOTEL/MOTEL/RENTAL CABINS/COTTAGES**

**A. DEFINITIONS:**

1. “Tourist Establishment” means a building designed for the accommodation of the traveling or vacationing public wherein no room within the establishment shall be occupied by the same guest for a period of time exceeding thirty-one (31) consecutive days.
2. “Tourist Establishment-Hotel” means a building containing three or more guest rooms served by a common entrance, where guest rooms may include culinary facilities and may have a separate entrance directly from outside the building, together with an office serving the patrons of the tourist establishment. Accessory uses may include accommodation for permanent staff and one or more beverage rooms, dining rooms, meeting rooms or similar uses.
3. “Tourist Establishment-Motel” means a tourist establishment containing herein three or more guest rooms that may include culinary facilities and individual sanitary facilities for each guest room having a separate entrance directly from outside the building, together with an office serving the patrons of the tourist establishment. Accessory uses may include accommodation for permanent staff and one or more beverage rooms, dining rooms, meeting rooms or similar uses.
4. “Tourist Establishment-Rental Cabins” and/or “Tourist Establishment-Rental Cottages” means a tourist establishment containing one or more rental units in detached buildings or two rental units in buildings that have common walls between the units but may have individual culinary and sanitary facilities together with an office serving the patrons of the tourist establishment.

**B. REASONS FOR REQUIRING LICENCE AND/OR IMPOSING CONDITIONS:**

1. For the purpose of protecting the health and safety of the persons residing in the tourist establishments by ensuring that the fire code regulations are met, the required essentials such as plumbing and water are provided, for ensuring that the tourist establishments do not create a nuisance to the adjoining property or neighbourhood, and for consumer protection such that the persons residing in the tourist establishments know who to contact in the case of a problem or emergency with the tourist establishments.

**C. REQUIREMENTS AND CONDITIONS OF LICENCE:**

1. No person shall operate or maintain a tourist establishment-hotel/motel/rental cabins/rental cottages within the Town without first obtaining a licence to do so.
2. Prior to a business licence being issued by the Business Licensing Officer, the applicant must obtain the approvals listed below:
  - a. Zoning Department;
  - b. Fire Department;
  - c. Building Department;
  - d. Property Standards Office.
3. This Schedule shall apply to every person who operates a tourist establishment, including a hotel, motel, rental cabins or rental cottages.

4. At the time of application, every applicant shall provide to the Business Licensing Officer a list detailing the number of rooms and facilities offered by the establishment.
5. Every licensee shall keep a register of all patrons showing their name, address, vehicle make and licence plate number, including the Province or State from which such plate was issued, the date of admission and date of departure.
6. Every licensee shall provide at all times a reasonable supply of clean towels for each registered individual, and other customary toilet supplies.
7. The licensee shall ensure that all provisions of the Town's Fire, Building and Property Standards Departments are met and complied with at all times.
8. The licensee shall ensure that garbage and waste are removed from the premises as often as is necessary to maintain the premise in a sanitary condition.

**Schedule "A60"**  
**TOURIST & TRAILER CAMP/CAMPGROUND**

**A. DEFINITIONS:**

1. "Tourist and Trailer Park" means any land on or upon which any tent, house trailer, park model trailer or motor home, or any vehicle so constructed that is suitable for being attached to a motor vehicle for the purpose of being propelled by the motor vehicle, used or intended to be used for the temporary living, sleeping or eating accommodation of park patrons but does not include permanent or year round occupancy by anyone other than the owner or operator of the park and that tent, house trailer, park model trailer or motor home is placed, located, kept or maintained, notwithstanding that such vehicle is jacked up or its running gear removed. This definition shall not include a mobile home park.
2. "Trailer-Recreational" means any vehicle so constructed that it is suitable for being attached to a motor vehicle for the purpose of being drawn or propelled by the motor vehicle and capable of being use for the living, sleeping, eating or accommodation of persons, notwithstanding that such vehicle is jacked up or that its running gear is removed.

**B. REASONS FOR REQUIRING LICENCE AND/OR IMPOSING CONDITIONS:**

1. For the purpose of protecting the health and safety of the persons residing at the tourist and trailer camp or campground by ensuring that the fire code regulations are met, the required essentials such as plumbing and water are provided, for ensuring that the tourist and trailer camp or campground does not create a nuisance to the adjoining property or neighbourhood, and for consumer protection such that the persons residing at the tourist and trailer camp or campground know who to contact in the case of a problem or emergency with that tourist and trailer camp or campground.

**C. REQUIREMENTS AND CONDITIONS OF LICENCE:**

1. No person, firm or corporation shall operate or maintain a tourist or trailer camp or campground within the Town without first obtaining a licence to do so.
2. Prior to a business licence being issued by the Business Licensing Officer, the applicant must obtain the approvals listed below:
  - a. Zoning Department;
  - b. Fire Department;
  - c. Building Department;
  - d. Property Standards Office.
3. The licensee shall ensure that sewage disposal facilities meet the requirements of the Ministry of the Environment and/or the Town.
4. The licensee shall ensure that every service building is a permanent structure, meeting the requirements of the Ontario Building Code. The licensee shall ensure that service buildings are adequately lighted and heated at all times and are maintained in a clean and sanitary condition and property ventilated.

5. The licensee shall ensure that adequate fire extinguishing equipment is provided and maintained within the camp as required by the Fire Chief or his designate. Every mobile home owner shall provide a fire extinguisher.
6. No person shall have or permit an open fire contrary to the provisions of any Town by-law or have or permit an open fire at any place that would endanger life or property.
7. No person shall leave a fire unattended at any place or at any time.
8. The licensee shall ensure that every camp has a sturdy receptacle at each site to be used for the temporary storage of garbage and cans. The licensee shall ensure that such receptacles are made of a material, which cannot be penetrated by rodents, are non-porous, non-absorbent, and capable of being washed and disinfected. The licensee shall ensure that such receptacles are equipped with fly tight covers and lids.
9. The licensee shall ensure that all garbage/trash receptacles are emptied when such receptacles become full, or at intervals not less than once every forty-eight (48) hours.
10. The licensee shall provide every trailer site with an electrical outlet supplying at least 110 volts.
11. The licensee shall ensure that a responsible adult, who is familiar with the camp, is on duty at all times when the camp is open for business.
12. The licensee shall ensure that an occupancy register is maintained, and that such register contains a record of all owners and occupants of the camp vehicles/trailers located within the camp.
13. The licensee shall record on the occupancy register:
  - a. the name and address of each occupant;
  - b. the make, model, year and licence number, including Province or State, of every vehicle;
  - c. the arrival and departure date of each camping vehicle/trailer;
  - d. the identification number of the campsite(s) occupied by each registered guest.
14. The licensee shall maintain all grounds, service buildings and facilities in a tidy, clean and sanitary condition at all times.
15. The licensee shall be responsible for establishing periods of quiet hours that will serve the majority of occupants of the camp, with a notice of such quiet hours being posted in a conspicuous place within the camp office. The licensee shall reasonably ensure that such quiet hours are respected by occupants of the camp.
16. No owner or person in charge of any dog, cat or other pet shall permit it to run at large, create any nuisance within the limits of the camp, and such person shall ensure that any excrement left by any animal in his control is immediately removed and disposed of in a sanitary manner.

**Schedule "A61"**  
**TOW TRUCK**

**A. DEFINITION:**

1. "Tow Truck" means a motor vehicle used for hire for towing or otherwise conveying vehicles, whether or not such towed or conveyed vehicle is intact or is in an inoperable condition.

**B. REASONS FOR REQUIRING LICENCE AND/OR IMPOSING CONDITIONS:**

1. For the purpose of consumer protection to ensure that the services are being provided by an individual with an acceptable background, to ensure consumer protection such that the consumer will know who to contact in the case that their vehicle has been towed and/or stored to allow them to retrieve same, and to ensure that the business is not a nuisance to the surrounding properties and neighbourhood.

**C. REQUIREMENTS AND CONDITIONS OF LICENCE:**

1. No person shall operate or maintain a tow truck within the Town unless such tow truck is licensed under the provisions of this Schedule.
2. At the time of application, the applicant shall provide to the Business Licensing Officer or designate a copy of the ownership and insurance certificates for each vehicle to be licensed as a tow truck.
3.
  - a. At the time of application, the applicant shall provide to the Business Licensing Officer a Certificate of Liability Insurance, certifying the owner of each tow truck for which a tow truck licence is being applied for, is insured against bodily injury, public liability and property damage claims, in the minimum amount of \$2,000,000 inclusive for any one occurrence. Said policy shall be endorsed to provide that the policy will not be altered, cancelled or allowed to lapse without thirty (30) days prior written notice to the Town.
  - b. Notwithstanding Section 3.a., if, for any reason, the insurance policy above is cancelled, or for any other reason does not remain in effect, the business licence issued under this Schedule shall become null and void on the final date for which the insurance was valid.
4. No person shall drive any tow truck without first being licensed as a tow truck driver under the provisions of this By-law.
5. Every owner of a tow truck shall submit such tow truck for a safety inspection annually or as otherwise required by the Officer, under the provisions of the Highway Traffic Act, R.S.O. 1990, c.H.8, and a copy of the current Safety Standards Certificate issued pursuant to the Highway Traffic Act, R.S.O. 1990. c.H.8 shall be filed with the Business Licensing Office.
6. No person shall operate a tow truck at any time where such vehicle being operated as a tow truck does not meet, or if put to an inspection, could not pass the safety standards established pursuant to the Highway Traffic Act, R.S.O. 1990, c.H.8.

7. Every owner and driver of a tow truck shall maintain the interior and exterior in good repair and keep the tow truck in a clean and sanitary condition at all times.
8. Every owner and driver shall ensure that a tow truck licensed under this Schedule is only used as a tow truck and is not used for hire as a taxicab unless otherwise licensed under the provisions of this By-law.

**Schedule "A62"**  
**TOW TRUCK COMPANY**

**A. DEFINITION:**

1. "Tow Truck Company" means a person who owns a tow truck or has possession or control of a tow truck under an installment purchase agreement, a rental agreement, or other agreement.

**B. REASONS FOR REQUIRING LICENCE AND/OR IMPOSING CONDITIONS:**

1. For the purpose of consumer protection to ensure that the services are being provided by an individual with an acceptable background, to ensure consumer protection such that the consumer will know who to contact in the case that their vehicle has been towed and/or stored to allow them to retrieve same, and to ensure that the business is not a nuisance to the surrounding properties and neighbourhood.

**C. REQUIREMENTS AND CONDITIONS OF LICENCE:**

1. No person shall operate or maintain the business of a tow truck company within the Town without first obtaining a licence to do so.
2. At the time of application, the applicant shall provide to the Business Licensing Officer a copy of the ownership and insurance certificates for each vehicle owned by the tow truck company.
3. At the time of application and in the case of a tow truck which is not owned by the tow truck company, the applicant shall provide to the Business Licensing Officer a copy of the ownership and insurance certificates for each vehicle for each vehicle to be used as a tow truck.
4.
  - a. At the time of application, the applicant shall provide to the Business Licensing Officer a Certificate of Liability Insurance, certifying the owner of each tow truck for which a tow truck licence is being applied for, is insured against bodily injury, public liability and property damage claims, in the minimum amount of \$2,000,000 inclusive for any one occurrence. Said policy shall be endorsed to provide that the policy will not be altered, cancelled or allowed to lapse without thirty (30) days prior written notice to the Town.
  - b. Notwithstanding Section 4.a., if, for any reason, the insurance policy above is cancelled, or for any other reason does not remain in effect, the business licence issued under this Schedule shall become null and void on the final date for which the insurance was valid.
5. At the time of application, the applicant shall provide to the Business Licensing Officer, and shall maintain with the Business Licensing Officer, a written statement of rates and charges for all services provided by the tow truck company. The licensee shall ensure that no other rates or charges are demanded or received by any tow truck driver. The licensee shall ensure that any amendment or change to the rates and charges is filed with and approved by the Business Licensing Officer before any such rate or charge is implemented by the tow truck company or its drivers.
6. At the time of application, the applicant shall provide to the Business Licensing Officer, and maintain at all times with the Business Licensing Officer, a list of tow truck drivers who will drive tow trucks on behalf of the tow truck company.

7. No person shall permit any tow truck driver to drive any tow truck unless such tow truck driver is licensed under the provisions of this By-law.
8. No person shall use any vehicle as a tow truck unless such vehicle has been licensed under the provisions of this By-law.
9. Every person shall advise the Business Licensing Officer within ten (10) days of any change in any licence plate issued by the Ministry of Transportation.
10. No person shall permit any tow truck driver to drive any tow truck unless such tow truck driver is licensed under the provisions of this By-law.
11. Every person shall ensure that every driver of a tow truck shall be familiar with the provisions of this By-law, the laws and regulations relating to traffic, and the geography of the Town of Wasaga Beach.
12. Every person shall ensure that every driver of a tow truck is the holder of a valid driver's licence issued to him by the Ministry of Transportation for the Province of Ontario, and that such licence is valid at all times when such driver is engaged in driving any tow truck used by the licensee.
13. Every person making application shall be at least eighteen (18) years of age.
14. Every person shall satisfy the Business Licensing Officer that:
  - a. any tow truck will be operated in association with the tow truck company and will accept calls only from a licensed tow truck company;
  - b. he is able to provide twenty-four (24) hour tow truck service to the public for each day of the year.
15. Every person shall:
  - a. keep an orderly record of all calls answered by tow trucks owned by him, showing the date, time, origin, destination, tow truck vehicle licence number and the name of the driver. The records shall be retained for a period of twelve (12) months from the date of entry, and shall be open for inspection by any Officer at any reasonable time, and may be removed by such Officer and retained for any reasonable period of time;
  - b. submit each tow truck owned by him for a vehicle safety inspection annually and at any other time as required by Officer and shall file with the Business Licensing Officer a valid and current Safety Standards Certificate for each tow truck owned by him and intended to be used as a tow truck in accordance with the provisions of the Highway Traffic Act, R.S.O. 1990, c.H.8;
  - c. keep the interior and exterior of all tow trucks in good repair and in a clean and sanitary condition;
  - d. provide telephone and radio dispatching equipment and facilities maintained in proper working condition.

**Schedule "A63"**  
**TRADE SHOW**

**A. DEFINITIONS:**

1. "Trade Show" means a business which co-ordinates a show or similar exhibition of five or more vendors or businesses exhibiting, offering for sale, selling or otherwise displaying for delivery at a later date, goods, wares, merchandise, items or services of a similar nature, and where the vendors or businesses will be organized at a specific location for a period not to exceed fourteen consecutive days.

**B. REASONS FOR REQUIRING LICENCE AND/OR IMPOSING CONDITIONS:**

1. For the purpose of ensuring that the vendor is following all required health regulations to ensure that the consumer does not become ill, to ensure that the business is not a nuisance by hindering vehicles or pedestrian traffic and/or causing a hazard in any way, and/or having a negative aesthetic impact on the municipality, and to protect the consumer who is purchasing the products or services being sold.

**C. REQUIREMENTS AND CONDITIONS OF LICENCE:**

1. No person shall operate or maintain the business of a trade show within the Town without first receiving a licence to do so.
2. At the time of application, the applicant shall provide to the Business Licensing Officer a list of all vendors, and such list shall include the registered name, operating name, a contact name, current mailing address and telephone number, as well as a description of the goods or services to be provided by such vendor.
3. The licensee shall ensure that no vendor is permitted to operate at a trade show unless such vendor is identified on the listing as provided to the Business Licensing Officer at the time of application, or as otherwise approved by the Business Licensing Officer.
4. The licensee shall ensure that every vendor displays a copy of the licence issued to the licensee in respect of the trade show at each vendor's booth or location.
5. The licensee shall ensure that no vendor operates within any exit, corridor or public access way, and shall not in any way impede the ingress to or egress from the trade show.
6. The licensee shall ensure that any vehicle operated in relation to any trade show is not left parked, standing or otherwise stopped in contravention to any Town by-law;
7. No person shall operate a menagerie in conjunction with any trade show unless such menagerie is licensed under the provisions of this By-law.

**Schedule "A64"**  
**VIDEO SALES/RENTALS**

**A. DEFINITION:**

1. "Video Sales and Rentals" means a business where videos, DVD's or other similar viewing matter are sold, offered for sale, rented or offered for rent.

**B. REASONS FOR REQUIRING LICENCE AND/OR IMPOSING CONDITIONS:**

1. For the purpose of consumer protection of the customers, and to ensure that the business is not a nuisance to the surrounding properties and neighbourhood.

**C. REQUIREMENTS AND CONDITIONS OF LICENCE:**

1. No person shall operate or maintain the business of a DVD/videotape sales or rentals within the Town without first obtaining a licence to do so.
2. Prior to a business licence being issued by the Business Licensing Officer, the applicant must obtain the approvals listed below:
  - a. Zoning Department;
  - b. Fire Department;
  - c. Building Department;
  - d. Property Standards Office.
3. No person shall offer for sale or rent any adult videotape within such premise unless licensed to do so.
4. Where a premises is licensed for the sale or rental of adult DVD's/videos, and where such adult DVD's/videos are also sold or rented or offered for sale or rent, the licensee shall ensure that such adult DVD's/videos are contained within a separately enclosed area of the premises. Such area shall be designed so as not to be in view of any member of the public unless such person is within the enclosed area.
5. The licensee shall ensure that such areas are signed in such a manner as to identify to any person entering such area that the area is exclusively for adult DVD's/videos.
6. No licensee shall permit any person under the age of eighteen (18) years or apparently under the age of eighteen (18) years to be present in or enter into any area which has been enclosed for the purpose of adult DVD's/video sales or rentals.

**Schedule "A65"**  
**WINE AND/OR BEER MAKING ESTABLISHMENT**

**A. DEFINITION:**

1. "Wine or Beer Making Establishment" means any location, premise, operation or establishment where wine or beer is brewed, made and/or bottled by the consumer.

**B. REASONS FOR REQUIRING LICENCE AND/OR IMPOSING CONDITIONS:**

1. For the purpose of protecting the health and safety of the customers, and to ensure that the business is not a nuisance to the surrounding properties and neighbourhood.

**C. REQUIREMENTS AND CONDITIONS OF LICENCE:**

1. No person shall operate a wine or beer-making establishment within the Town without first obtaining a licence to do so.
2. Prior to a business licence being issued by the Business Licensing Officer, the applicant must obtain the approvals listed below:
  - a. Zoning Department;
  - b. Fire Department;
  - c. Building Department;
  - d. Property Standards Office;
  - e. Health Unit.
3. No person shall operate or maintain a wine or beer making establishment unless such operation is in compliance with all conditions and requirements as set out by the Ontario Alcohol and Gaming Commission of Ontario (AGCO). The licensee shall ensure that such conditions and requirements are adhered to at all times.
4. At the time of application, the applicant shall provide to the Business Licensing Office a copy of the inspection approval from the Health Unit.
5. No person shall permit any individual under the age of nineteen (19) years to be in a wine or beer-making establishment.
6. No person shall permit any room in a wine or beer-making establishment to be used as living, eating, food preparation, bathing or sleeping quarters, and such premises shall only be used as a wine or beer making establishment unless otherwise licensed.

**Schedule “A66”  
HOME OCCUPATION – HOLISTIC PRACTITIONER**

**A. DEFINITIONS:**

1. “Home Occupation” means a use that is conducted for gain or profit and which is clearly incidental, accessory or secondary to the residential use of a dwelling.
2. “Holistic Practitioners” means physical or psychological therapies designed to improve health or relieve stress and shall include, but are not limited to:
  - a. Aromatherapy,
  - b. Reiki
  - c. Reflexology,
  - d. Non-medical-therapeutic message therapies,
  - e. Nutritional Therapies,
  - f. Herbal/Botanical Therapies,
  - g. Psychological and Mind/Body Control
3. But does not include a Massage Therapist who is dully qualified, licenced and registered to provide medical or therapeutic massage under the laws of the Province of Ontario and Family Physicians, Optometrists, Surgeons, Dentists, Chiropractors, Osteopaths, Physiotherapists, Dental Hygienists, and the like, who are already regulated pursuant to the Regulated Health Professions Act, S.O. 1991, c.18, as amended from time to time, or any successor thereof;
4. “Nude” means bare or unclothed, and “Nudity” shall have a corresponding meaning;
5. “Partially Nude” means clothed in a manner that leaves a part of the body uncovered or visible to any person through less than fully opaque clothing and “Partial Nudity” shall have a corresponding meaning;
6. “Practitioner” means a Person engaged in the practice of a profession, trade, business or occupation in relation to Holistic Therapies and shall include the owner, operator, attendant or apprentice;
7. “Nutritional Therapies” means attempts to achieve health or eliminate diseases through food, diet or nutritional supplements;
8. “Herbal/Botanical Therapies” means attempts to improve health or illnesses through the use of natural or artificially grown herbs or plants;
9. “Physical Therapies” means all therapies involving the manipulation, touch or exercise of the body and shall include, but is not limited to Shiatsu, Reflexology, Acupressure, Tai Chi, Qi Kong, Reiki and Yoga. As well, this section might include physical therapies such as colonic irrigation, hydrotherapy and lymphatic drainage

**B. REASONS FOR REQUIRING LICENCE AND/OR IMPOSING CONDITIONS:**

1. For the purpose of ensuring that the business in not a nuisance to the surrounding properties and neighborhood.

**C. REQUIREMENTS AND CONDITIONS OF LICENCE:**

1. No person shall operate or maintain the business of a home occupation-holistic practitioner within the Town without first obtaining a licence to do so.
2. Prior to a business licence being issued by the Business Licensing Officer, the applicant must obtain the approvals listed below:
  - a. Zoning Department
  - b. Building Department
  - c. Fire Department
  - d. Property Standards Office
  - e. Health Unit
3. A licence for a home occupation-holistic practitioner shall not be issued by the Business Licensing Officer unless the following restrictions have been adhered to:
  - a. The home occupation-holistic practitioner shall be clearly secondary to the existing dwelling unit and shall not change the residential character of the property.
  - b. A Canadian Police Information Center clearance letter that shall fail to reveal a record, furnished by the police agency where the applicant resides. The clearance letter shall be dated within thirty days preceding in the date of application.
  - c. The applicant shall provide to the Business Licencing Officer at the time of the application, proof of liability insurance in the minimum amount of \$2,000,000.00. Said policy shall be endorsed to provide that the policy will not be altered, cancelled or allow to lapse without thirty (30) days prior written notice to the Town.
  - d. A certificate signed by him, confirm that he does not have any currently outstanding criminal charges or warrants pending before any courts;
  - e. The applicant for a home occupation-holistic practitioner licence shall submit at the time of application an original copy of a certificate, diploma, or other such document to the Business Licensing Officer, indicating each Practitioner has successfully completed a course of training at an educational institution within Canada, relevant to their trade;
  - f. Not more than one (1) person shall be involved in the home occupation-holistic practitioner and must be permanent residents of the dwelling.
  - g. No floor area devoted to the home occupation-holistic practitioner, including the storing of materials and finished products, shall exceed more than 15% of the gross floor area of the dwelling, shall be confined to the main dwelling on the lot, and shall not be in any attached or detached garage or accessory building.
  - h. No retail sales may take place on the property or premises of the home occupation-holistic practitioner; however, catalogue, mail order or telemarketing sales, as ordered by the customers of a local representative, would be permitted (similar to Avon, Tupperware and Amway)
  - i. No inventory may be maintained in the dwelling for point of purchase sales.

- j. The home occupation-holistic practitioner shall only permit the practice of a Holistic Practitioner as defined in this schedule.
  - k. No more than two (2) persons or clients shall be located within the home occupation-holistic practitioner while waiting for or receiving therapies from a Practitioner
  - l. No Practitioner shall perform any therapies while Nude or Partially Nude.
  - m. No person shall receive any therapies while Nude or Partially Nude
  - n. No practitioner shall provide therapies while impaired by alcohol or drugs.
4. The home occupation-holistic practitioner shall provide sufficient room for vehicular parking on the surfaced driveway of the property containing the home occupation-holistic practitioner and no parking shall be permitted on any public road.
  5. There shall be no parking or storage of vehicles in the front yard or exterior side yard other than on a surfaced driveway
  6. The home occupation-holistic practitioner shall not create or become a public nuisance, in particular in regards to traffic, parking, noise, vibration, fumes, odour, dust, glare or radiation, which is apparent or audible from adjacent properties.
  7. The home occupation-shall not interfere with television, radio reception or electrical service.
  8. There shall be no external storage of goods or materials and the home occupation-holistic practitioner shall not involve hazardous or toxic chemicals.
  9. There shall be no delivery of merchandise to the home occupation-holistic practitioner, other than by a passenger motor vehicle or by parcel or letter carrier mail service using vehicles typically employed in residential deliveries.
  10. There shall be no external display of advertising to indicate to persons outside that any part of the dwelling unit is being used for a purpose other than residential.

**Schedule "A67"**  
**HOME OCCUPATION – BARBERSHOP AND HAIRDRESSING/BEAUTY SALON**

**A. DEFINITIONS:**

1. "Home Occupation" means a use that is conducted for gain or profit and which is clearly incidental, accessory or secondary to the residential use of a dwelling.
2. "Barbershop/Hairdressing" means a business or premise where the shaving or trimming of the beard or mustache and/or the cutting, trimming, dyeing, conditioning, streaking, shampooing or dressing of the hair is carried on, commonly in the service of males.
3. "Beauty Salon" means a business or premise offering facial or other skin or body treatments, cutting and/or dressing of the hair including but not limited to cutting, trimming, dyeing, bleaching, streaking, frosting, conditioning, shampooing, etc., of the hair, manicures, pedicures or similar treatments, electrolysis or any other similar treatment service, piercing of earlobes, but not including the piercing of other body parts and tanning, tanning rooms, tanning beds or similar devices, etc.

**B. REASONS FOR REQUIRING LICENCE AND/OR IMPOSING CONDITIONS:**

1. For the purpose of ensuring that the business is not a nuisance to the surrounding properties and neighborhood.

**C. REQUIREMENTS AND CONDITIONS OF LICENCE:**

1. No person shall operate or maintain the business of a home occupation- barbershop and hairdressing/beauty salon within the Town without first obtaining a licence to do so.
2. Every person licensed as the operator of a home occupation- barbershop and hairdressing/beauty salon shall observe and comply with the regulations of the Health Unit as set out in the Public Health Act or under authority of any other Statute, Regulation or By-law by the Medical Officer of Health.
3. Prior to a business licence being issued by the Business Licensing Officer, the applicant must obtain the approvals listed below:
  - a. Zoning Department;
  - b. Building Department;
  - c. Fire Department;
  - d. Property Standards Office;
  - e. Health Unit.
4. A licence for a home occupation- barbershop and hairdressing/beauty salon shall not be issued by the Business Licensing Officer unless the following restrictions have been adhered to:
  - a. The home occupation- barbershop and hairdressing/beauty salon shall be clearly secondary to the existing dwelling unit and shall not change the residential character of the property.

- b. The applicant for a home occupation- barbershop and hairdressing/beauty salon licence shall submit at the time of application an original copy of a current certificate of qualifications as a barber or a hairdresser issued pursuant to the regulation made under the Apprenticeship and Certification Act to the Business Licensing Officer.
  - c. The applicant shall provide to the Business Licencing Officer at the time of the application, proof of liability insurance in the minimum amount of \$2,000,000.00. Said policy shall be endorsed to provide that the policy will not be altered, cancelled or allow to lapse without thirty (30) days prior written notice to the Town.
  - d. Not more than one (1) person shall be involved in the home occupation- barbershop and hairdressing/beauty salon and must be permanent resident of the dwelling.
  - e. No floor area devoted to the home occupation- barbershop and hairdressing/beauty salon, including the storing of materials and finished products, shall exceed more than 15% of the gross floor area of the dwelling, shall be confined to the main dwelling on the lot, and shall not be in any attached or detached garage or accessory building.
  - f. No room in any premises licensed hereunder in which barbering, hairdressing or beauty salon services is done, shall be used as living, eating, food preparing, bathing or sleeping quarters and shall only be used for barbering, hairdressing or beauty salon services.
  - g. No retail sales may take place on the property or premises of the home occupation- barbershop and hairdressing/beauty salon; however, catalogue, mail order or telemarketing sales, as ordered by the customers of a local representative, would be permitted (similar to Avon, Tupperware and Amway)
  - h. No inventory may be maintained in the dwelling for point of purchase sales.
  - i. The home occupation- barbershop and hairdressing/beauty salon shall only permit the practice of a barbershop and hairdressing/beauty salon as defined in this schedule.
  - j. No more than two (2) persons or clients shall be located within the home occupation- barbershop and hairdressing/beauty salon while waiting for or receiving services.
5. The home occupation- barbershop and hairdressing/beauty salon shall provide sufficient room for vehicular parking on the surfaced driveway of the property containing the home occupation- barbershop and hairdressing/beauty salon and no parking shall be permitted on any public road.
  6. There shall be no parking or storage of vehicles in the front yard or exterior side yard other than on a surfaced driveway
  7. The home occupation- barbershop and hairdressing/beauty salon shall not create or become a public nuisance, in particular in regards to traffic, parking, noise, vibration, fumes, odour, dust, glare or radiation, which is apparent or audible from adjacent properties.
  8. The home occupation- shall not interfere with television, radio reception or electrical service.

9. There shall be no external storage of goods or materials and the home occupation- barbershop and hairdressing/beauty salon shall not involve hazardous or toxic chemicals.
10. There shall be no delivery of merchandise to the home occupation- barbershop and hairdressing/beauty salon, other than by a passenger motor vehicle or by parcel or letter carrier mail service using vehicles typically employed in residential deliveries.
11. There shall be no external display of advertising to indicate to persons outside that any part of the dwelling unit is being used for a purpose other than residential.
12. No person shall offer for sale or sell food or beverages on the premises.
13. Every person licensed under this By-law as the operator of a home occupation- barbershop and hairdressing/beauty salon shall satisfy the Health Unit as to his freedom from communicable or transmissible disease and submit to such medical examinations and tests as the Health Unit may require.
14. No person licensed as the operator of a home occupation- barbershop and hairdressing/beauty salon shall operate the business of a home occupation-barbershop and hairdressing/beauty salon outside the premises for which the licence was issued, except in the following circumstances:
  - a. where the person served is so ill or physically incapable so as to be unable to attend at the operators home occupation- barbershop and hairdressing/beauty salon;
  - b. to dress the hair of members of a bridal party on the day of the wedding;
  - c. to dress the hair of models of a fashion or theatre show.
15. The licence of persons operating a home occupation-barbershop and hairdressing/beauty salon shall be revoked upon a recommendation of the Medical Officer of Health that such licence should be revoked.

**Schedule "A68"**  
**TOW TRUCK DRIVER**

**A. DEFINITIONS:**

1. "Tow Truck Driver" means the driver of a tow truck who is licensed as such under this By-law.

**B. REASONS FOR REQUIRING LICENCE AND/OR IMPOSING CONDITIONS:**

1. For the purpose of consumer protection to ensure that the services are being provided by individuals with acceptable backgrounds, and to ensure that the business does not create a nuisance to the health and safety of the public.

**C. REQUIREMENTS AND CONDITIONS OF LICENCE:**

1. No person shall operate or carry on business as a tow truck driver within the Town without first obtaining a licence to do so.
2. At the time of application or renewal, the applicant shall provide the following to the Business Licencing Officer:
  - a. two pieces of identification, one of which shall be photographic identification detailing the applicant's birth date, legal name and current residential address;
  - b. proof that he has and maintains a current valid driver's licence of the appropriate class issued pursuant to the Highway Traffic Act, R.S.O 1990, c.H.8 as amended and the regulation there under, other than a Class G1 or Class G2 driver's licence;
  - c. a Canadian Police Information Centre clearance letter that shall fail to reveal a record, furnished by the police agency where the applicant resides. The clearance letter shall be dated within thirty (30) days preceding the date of application;
  - d. a certificate signed by him, confirming that he does not have any currently outstanding criminal charges or warrants pending before any courts;
  - e. a three year Driver Record Search issued by the Ministry of Transportation, Safety and Regulations Division, dated within thirty (30) days preceding the date of application. This search shall fail to reveal any convictions or found guilty of driving under suspension, speeding over 50 km above the limit, careless driving, racing on a highway, leaving the scene of an accident, flight from police or any Criminal Code offence committed by means of a motor vehicle or while driving or having care of a motor vehicle;
  - f. two (2) colour photographs of the applicant, 2" x 2 ½" in size.
3. An applicant's record of past conduct shall be such that it would not be contrary to the public interest for a licence to be granted or renewed.
4. The past conduct of the applicant or licensee shall not afford reasonable grounds for the belief that the applicant or licensee will not carry on the activity for which he is to be licenced or continue to be licenced in accordance with the law and with integrity and honesty.

5. No person shall provide any services or operate as a tow truck driver for any tow truck company which is not licenced under the provisions of this Schedule.
6. A separate tow truck driver's licence is required for each tow truck company for whom the driver is employed.
7. No person shall drive any vehicle operated as a tow truck unless such vehicle is licenced as a tow truck under the provisions of this By-law.
8. No person shall receive calls dispatched from a tow truck company which is not licenced under the provisions of this By-law.
9. Every tow truck driver shall be familiar with the provisions of this By-law, the laws and regulations relating to traffic and the geography of the Town of Wasaga Beach, and be fluent in the English Language.
10. No tow truck driver shall fail to place his tow truck driver's photographic identification card, as issued by the Business Licencing Officer, in such a manner in the tow truck he is driving as to be conveniently seen and read by Passengers.
11. No driver shall fail to notify the Business Licencing Officer in writing of any change of address within forty-eight (48) hours.
12. No driver shall fail to travel by the most direct route to the point of destination unless otherwise directed by the person engaging the service of the tow truck.
13. No driver shall fail to be neat and clean in his person and appearance.
14. While in charge of a tow truck for hire, no person shall solicit any person to take or use the tow truck he is driving by calling out or shouting. The person wishing to use or engage the tow truck shall be left to choose without interception or solicitation.
15. While in charge of a tow truck for hire, no driver shall carry a greater number of persons than the tow truck is intended to seat according to the manufacturer's rate of seating capacity or than specified in the licence issued under this By-law.
16. While in charge of a tow truck for hire, no driver shall permit or allow any immoral, indecent, illegal or disorderly conduct in his tow truck.
17. While in charge of a tow truck for hire, no driver shall fail to, upon request of any passenger, give in writing the driver's name and the tow truck company name, address and telephone number.
18. No owner or driver shall fail to give a passenger a receipt when requested or whenever there is dispute over the charge which shall also contain the information noted in Section 17 above.
19. No owner or driver shall fail to keep an orderly record of all calls answered by tow trucks owned by him, showing the date, time, origin, destination, amount charged for each trip, tow truck vehicle licence number and the name of the driver. The records shall be retained for a period of twelve (12) months from the date of entry and shall be open for inspection by any Municipal

Law Enforcement Officer, Police Officer or other duly appointed individual at any reasonable time, and may be removed and retained for any reasonable period of time.

20. Every licensee who drives a tow truck of which he is not the owner shall, once in each calendar day that he has driven, deliver to the owner of the tow truck the trip record for that day, and produce the trip records upon the request of any Officer.

**Schedule "A69"**  
**HOME OCCUPATION – CHILD CARE PROVIDER**

**A. DEFINITIONS:**

1. "Home Occupation" means a use that is conducted for gain or profit and which is clearly incidental, accessory or secondary to the residential use of a dwelling.
2. "Child Care Provider" means the process of looking after a young human being below the age of puberty and not excluding infant

**B. REASONS FOR REQUIRING LICENCE AND/OR IMPOSING CONDITIONS:**

1. For the purpose of ensuring that the business in not a nuisance to the surrounding properties and neighborhood.

**C. REQUIREMENTS AND CONDITIONS OF LICENCE:**

1. No person shall operate or maintain the business of a home occupation-child care within the Town without first obtaining a licence to do so.
2. Prior to a business licence being issued by the Business Licensing Officer, the applicant must obtain the approvals listed below:
  - a. Zoning Department
  - b. Building Department
  - c. Fire Department
  - d. Property Standards Office
  - e. Health
3. A licence for a home occupation-child care provider shall not be issued by the Business Licensing Officer unless the following restrictions have been adhered to:
  - a. The home occupation-child care provider shall be clearly secondary to the existing dwelling unit and shall not change the residential character of the property.
  - b. A Canadian Police Information Center clearance letter that shall fail to reveal a record, furnished by the police agency where the applicant resides. The clearance letter shall be dated within thirty days preceding in the date of application.
  - c. Must have original documentation of certificate for CPR/First Aid and provide proof of this certificate upon making application to the Business By-Law Officer.
  - d. The applicant shall provide to the issuer of Licences at the time of application, proof of liability insurance in the minimum amount or \$2,000,000.
4. No person shall operate a Day Care Centre or Day Nursery unless it is in compliance with the provisions of this by-law and the Day Nurseries Act. R.S.O. 1990, c D2, as amended.

**Schedule "B"**

Basic Business Fee - \$50.00 plus \$25.00 for each inspection/approval required  
 New applications require all inspections – renewals may vary depending on use, location, etc.

<b>CLASS &amp; CATEGORY</b>	<b>SCHEDULE</b>	<b>LICENCE FEE</b>	<b>INSPECTIONS/APPROVALS AS REQUIRED</b>
Basic Business	A5	\$50.00	No inspections unless in zoned premises
<b>Advertising</b>			
Bill Distributor	A6	\$50.00	N/A
Sign Company	A50	\$100.00	Building Zoning Liability Insurance
<b>Service</b>			
Appliance Repair	A2	\$150.00	Building Zoning Fire Property Standards Health
Barbershop/Hairdressing/ Beauty Salon	A4	\$150.00	Building Zoning Fire Property Standards Health
Body Piercing and/or Tattoo Parlour	A8	\$150.00	Building Zoning Fire Property Standards Health
Car Wash	A10	\$150.00	Building Zoning Fire Property Standards
Dry Cleaner	A17	\$150.00	Building Zoning Fire Property Standards Health
Gas Bar	A20	\$150.00	Building Zoning Fire Property Standards
Kennel	A23	\$150.00	Building Zoning Fire Property Standards CKC Cert. of Registration
Laundromat/Laundry	A24	\$150.00	Building Zoning Fire Property Standards

Livery Stable, Horses Used for Hire or Riding School	A28	\$150.00	Building Zoning Fire Property Standards Liability Insurance
Motor Vehicle Service Station	A30	\$150.00	Building Zoning Fire Property Standards Liability Insurance
Motor Vehicle Leasing/Rental	A31	\$150.00	Building Zoning Fire Property Standards Liability Insurance M/V Dealer Certificate
Motor Vehicle Sales	A32	\$150.00	Building Zoning Fire Property Standards M/V Dealer Certificate
Parking Lot	A33	\$150.00	Building Zoning Fire Property Standards
Pawn Shop/Pawnbroker	A34	\$150.00	Building Zoning Fire Property Standards L/C \$1,000.00
Pet Groomer	A35	\$150.00	Building Zoning Fire Property Standards
Physical Fitness Club	A37	\$150.00	Building Zoning Fire Property Standards Cert. of Qualification
Public Address System	A38	\$150.00	N/A
Registered Massage Clinic	A41	\$150.00	Building Zoning Fire Property Standards Cert. of Qualification Employee List
Salvage/Wrecking Yard	A46	\$150.00	Building Zoning Fire Property Standards

Septic, Sanitation/Environmental Services	A49	\$50.00	MOE Cert. of Approval
Service Vendor	A50	\$150.00	Building Zoning Fire Property Standards
Small Engine Repair	A52	\$150.00	Building Zoning Fire Property Standards
Videoe Sales/Rentals	A64	\$150.00	Building Zoning Fire Property Standards
Wine or Beer Making Establishment	A65	\$150.00	Building Zoning Fire Property Standards Health
<b>Food</b>			
Caterer	A12	\$50.00	Health
Food Shop	A19	\$150.00	Building Zoning Fire Property Standards Health
Restaurant/Tavern	A43	\$150.00	Building Zoning Fire Property Standards Health AGCO Approval
Restaurant – take out or drive thru	A44	\$150.00	Building Zoning Fire Property Standards Health
<b>Contractors/Trades</b>			
Alarm Contractor	A14	\$50.00	N/A
Antenna Contractor	A14	\$50.00	N/A
Building Renovator	A14	\$50.00	N/A
Chimney Repair	A14	\$50.00	N/A
Demolition Contractor	A14	\$50.00	N/A
Drain Layer	A14	\$50.00	Building Name of Current Employer
Drain Laying Contractor	A14	\$50.00	Building Liability Insurance List of Employees

Fencing Contractor	A14	\$50.00	N/A
General Contractor	A14	\$50.00	N/A
Heating/Air Conditioning, Refrigeration Contractor	A14	\$50.00	Liability Insurance Cert. of Qualification for gas fitters and sheet metal workers
Home Inspector	A14	\$50.00	Criminal Check
Insulation Contractor	A14	\$50.00	N/A
Mechanical Contractor	A14	\$50.00	Liability Insurance Cert. of Qualification for gas fitters and sheet metal workers
Paving/Resurfacing Contractor	A14	\$50.00	Liability Insurance
Master Plumber	A14	\$50.00	Building Cert. of Qualification Name of Employer
Plumbing Contractor/Journeyman	A14	\$50.00	Building Cert. of Qualification Liability Insurance Names of Master Plumbers
Property Maintenance	A14	\$50.00	Liability Insurance
Sandblaster Contractor	A14	\$50.00	N/A
Sheet Metal Contractor	A14	\$50.00	Liability Insurance Cert. of Qualification
Tree Cutting Contractor	A14	\$50.00	Liability Insurance
<b>Accommodation</b>			
Rest Home	A42	\$150.00	Building Zoning Fire Property Standards Health
Tourist Establishment – Bed & Breakfast	A57	\$150.00	Building Zoning Fire Property Standards Room/Facility List FOBBA Registration
Tourist Establishment – Boarding, Lodging or Rooming House	A58	\$150.00	Building Zoning Fire Property Standards Hydro Inspection Cert. Heating Certificate
Tourist Establishment – Hotel/Motel/Rental Cabins/Rental Cottages	A59	\$150.00	Building Zoning Fire Property Standards Room/Facility List
Tourist & Trailer Camp/ Campground	A60	\$150.00	Building Zoning Fire Property Standards

<b>Mobile Auctioneer</b>	A3	\$75.00	Zoning
Driving Instructor	A15	\$50.00	Two Pieces of ID MTO Driver Instructor Permit Liability Insurance
Driving School Operator	A16	\$50.00	Vehicle List Rates/Charges List Liability Insurance
Hawker and Peddler	A21	\$300.00	Liability Insurance – 30 days from issuance Maximum 2 licences/year
Limousine (per vehicle)	A25	\$50.00	Safety Certificate Copy of Ownership Liability Insurance
Limousine Company	A26	\$150.00	Building Zoning Fire Property Standards Liability Insurance
Limousine Driver (per driver)	A27	\$50.00	Two Pieces of ID Valid Driver's Licence 3 Yr Record Search CPIC Clearance 2 Colour Photos Applicant Certificate
Refreshment Vehicle – Motorized/Non-Motorized	A40	\$500.00 or \$160.00 for Residents	Zoning Fire Health Liability Insurance
Taxicab (per vehicle)	A54	\$50.00	Safety Certificate Copy of Ownership Copy of Insurance
Taxicab Company	A55	\$150.00	Building Zoning Fire Property Standards Liability Insurance
Taxicab Driver	A56	\$50.00	Two Pieces of ID Valid Driver's Licence 3 Yr Record Search CPIC Clearance 2 Colour Photos
Tow Truck (per vehicle)	A61	\$50.00	Safety Certificate Copy of Ownership Copy of Insurance
Tow Truck Company	A62	\$50.00	Copy of Ownership Copy of Insurance Rates/Charges List List of Drivers Liability Insurance

<b>Retail</b>			Building Zoning Fire Property Standards Health
Cigars, Cigarettes and Tobacco	A13	\$150.00	
Retail Merchant	A45	\$150.00	Building Zoning Fire Property Standards Health
Second Hand Sales	A47	\$150.00	Building Zoning Fire Property Standards
<b>Amusement/Entertainment</b>			Building Zoning Fire Property Standards Health Liability Insurance
Amusement, Places of	A1	\$150.00	
Billiard/Pool Establishments	A7	\$150.00	Building Zoning Fire Property Standards Health
Bowling Alley	A9	\$150.00	Building Zoning Fire Property Standards Health
Carnivals/Circuses and Similar Shows	A11	\$150.00	Building Zoning Fire Property Standards Liability Insurance Ont. Amusement Device Permit TSSA Certificate
Entertainment Establishment	A18	\$150.00	Building Zoning Fire Property Standards Health
Menagerie/Zoo	A29	\$150.00	Building Zoning Fire Property Standards Liability Insurance
Pet Shop	A35	\$150.00	Building Zoning Fire Property Standards

<b>Other</b>			
Home Occupation	A22	\$75.00	Zoning
Public Hall – Commercial or Institutional	A39	\$150.00	Building Zoning Fire Property Standards Health
Self-Storage Facility	A48	\$150.00	Building Zoning Fire Property Standards
Special Sale – on site	A52	\$25.00	N/A
Special Sale – early	A52	\$10.00	N/A
Trade Show	A62	\$50.00	Vendor List
<b>Administrative</b>			
Replacement Licence	Section I (2) & (3)	\$25.00	
Change of Business Name	Section I (4)	\$25.00	
Professional Services (website display only)		\$25.00	
Re-inspection Fee (per visit/department)	Section K (2)	\$25.00	
Late Payment	Section E (11)	\$25.00	
Administrative Penalty Charge (charged on a daily basis for each day that an Order to Comply is not complied with)	Section E (11) & (12)	\$25.00	

**Schedule "C"**  
**Business Licence Expiry Dates**

CATEGORY OF LICENCE	EXPIRY DATE
Auctioneer Basic Business Bill Distributor Caterer Contractors/Trades Driving Instructor Driving School Operator Home Occupation Limousine (per vehicle) Limousine Company Limousine Driver Parking Lot Professional Services Public Address System Public Halls Salvage/Wrecking Yard Self-Storage Facility Septic, Sanitation/Environmental Services Sign Company Taxicab (per driver) Taxicab (per vehicle) Taxicab Company Tow Truck (per vehicle) Tow Truck Company Trade Show	31 <sup>ST</sup> DAY OF DECEMBER FOR THE YEAR OF ISSUANCE
Hawker and Peddler	30 days from day of issuance to a maximum of two (2) licences per year
Appliance Repair Barbershop/Hairdressing/Beauty Salon Billiard/Pool Establishments Body Piercing and/or Tattoo Parlour Bowling Alley Car Wash Carnivals/Circuses and similar shows Cigar, Cigarettes and Tobacco Dry Cleaner Entertainment Establishment Food Shop Gas Bar Kennel Laundromat/Laundry Livery Stable, Horses used to Hire or Riding School Menagerie/Zoo Motor Vehicle Service Station	ONE (1) YEAR FROM THE DATE OF ISSUANCE

<p>Motor Vehicle Leasing/Rental Motor Vehicle Sales Pawnshop/Pawnbroker Pet Groomer Pet Shop Physical Fitness Club Places of Amusement Refreshment Vehicle/Motorized and Non-motorized Registered Massage Clinic Rest Home Restaurant/Tavern Restaurant – Take Out and Drive Thru Retail Merchants Second Hand Sales Service Vendor Small Engine Repair Tourist Establishments:     a. Bed &amp; Breakfast     b. Boarding, Lodging or Rooming House     c. Hotel, Motel, Rental Cabins or Rental Cottages Tourist &amp; Trailer Camp/Campground Video Sales/Rentals Wine or Beer Making Establishment</p>	<p>ONE (1) YEAR FROM THE DATE OF ISSUANCE</p>
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